

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF MARCH 31, 2006

(Published April 8, 2006, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
March 31, 2006 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, President Johnson.

Lilligren moved adoption of the agenda. Seconded.

Schiff moved to amend the agenda by adding a motion to introduce the subject matter of an ordinance amending Title 20, Chapter 544 of the Minneapolis Code of Ordinances relating to Zoning Code: Off-Premise Advertising Signs and Billboards re establishing a new Downtown Entertainment Billboard District within the current Downtown Opportunity Billboard District. Seconded.

Adopted upon a voice vote.

The agenda, as amended, was adopted 3/31/06.

Lilligren moved acceptance of the minutes of the regular meeting of March 10, 2006. Seconded.

Adopted upon a voice vote 3/31/06.

Colvin Roy moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 3/31/06.

Absent – Lilligren.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271054)

Land Sales:

2933 & 2937 - 5th Ave S;

5146 Bryant Ave N.

Group Health Plan, Inc (2220 Riverside Ave S): Reallocation of revenue bond proceeds for other eligible project costs associated with HealthPartners, Inc project.

2100 Bloomington Limited Partnership (2100 Bloomington Ave): Refunding of \$3,250,000 in Tax-Exempt Multi-family Entitlement bonds.

Hennepin County Housing & Redevelopment Agency (HRA) (3358 Russell Ave N): Authorize HRA to conduct business within the City for acting as a pass-through for subject property to City of Lakes Community Land Trust.

Heritage Housing, LLC (Heritage Park Redevelopment Project-Phases 3 & 4): Authorize negotiatoin of term sheet with Centext Homes-MN Division for 30 days; Authorize acceptance of withdrawal letter fro Heritage Housing, LLC.

"Don't Borrow Trouble Campaign": Approve grant agreement with Family Housing Fund re predatory lending.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271055)

Foreclosure Prevention Program: Authorize reallocation of \$44,224 from CPED home improvement program; Approve exception to Procurement Policy to enter into agreement with Home Ownership Center for services.

St Anthony Falls Heritage Boad (re 9th & Portland site/corner of Portland Ave & 2nd St S): Authorize funding agreement between the City & St Anthony Falls Heritage Board accepting a planning fund allocation of \$25,000 for archaeological survey on Parcel D West.

Metropolitan Council Hiawatha LRT Land Assembly Funds: Approve acceptance of grants for Currie Park Lofts & Station Place Project; Franklin LRT Station project; 46th St Town Square: Snelling Ave Extension project; & Longfellow Station project; Authorize agreements with Metropolitan Council, Fine Associates, Seward Redesign & Capital Growth, Real Estate.

PURCHASING (271056)

Bids:

OP #6566: Ram Construction & Remodeling (re 2127 Queen Ave N);

OP #6576: EnviroBate Metro, Inc (re 2612 Plymouth Ave N).

HEALTH, ENERGY AND ENVIRONMENT:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271057)

Minnesota Family Investment Program: Presentation.

HEALTH AND FAMILY SUPPORT SERVICES (271058)

Smoking Ban: Pre and Post Smoking Ban Revenue Reports.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271059)

Minneapolis Private Industry/Workforce Council: Waive residency requirement to allow Mayor to appoint Jennie Carlson to fill private sector seat.

Minneapolis Advisory Committee on People with Disabilities: Approve the following Mayoral appointments, for terms to expire December 21, 2007 — Loretta Grewe; Michael Foster; Margot Imdieke Cross; Frank Morisano; Lee Perish; Nicole Roberts; Mark Siegel.

REGULATORY SERVICES (271060)

Sustainability Indicators and Targets: Approve amended indicators and targets; Direct staff to work with Library Board on developing recommended sustainability goals.

HEALTH, ENERGY AND ENVIRONMENT and TRANSPORTATION & PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271061)

Biomass Facility: Authorize issue Request for Proposals for sale of South Transfer Station for development of a biomass combined heat and power generation facility.

HEALTH, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep)

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271062)

Workforce Investment Act: Execute agreement with Minnesota Department of Employment and Economic Development for release of funding under Adult, Youth and Dislocated WIA and the Minnesota Youth Program during period April 1, 2006 through March 31, 2009.

HEALTH AND FAMILY SUPPORT SERVICES (271063)

Skyway Senior Center: Amend license agreement with Ryan Company to extend for additional five years, for a new license period of October 1, 2006 through September 31, 2011.

Prevention Approach to Violence: Request to allocate up to \$500,000 of Local Public Health funds to be used for grants over a two-year period to community based organizations.

INTERGOVERNMENTAL RELATIONS (See Rep):

INTERGOVERNMENTAL RELATIONS (271064)

Mpls Park & Recreation Board: Senate File No. 2600 re permitting the Park & Recreation Board & the City to impose a park dedication fee on new housing units.

Condominium Sunset Provision: Senate File No. 3216, removing provision.

Fire Department: House File No. 2916 re establishing the fire safety account from revenues on fire premiums & assessments; abolishing the fire insurance tax; appropriating money.

PUBLIC SAFETY AND REGULATORY SERVICES:

ATTORNEY (271065)

Automated Pawn System: Analysis of the City of Minneapolis' authority to retain and utilize surplus revenue generated from its APS system and similar proprietary intellectual properties and technologies.

POLICE DEPARTMENT (271066)

Stop on Red Tags: Request to hire two temporary permit employees to facilitate the processing of Stop on Red Tags.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (271067)

Chapter 249 Property at 2447 16th Av S: Authorize demolition of property.

Chapter 249 Property at 115 5th St NE: Authorize demolition of property, to be stayed to May 3rd PS&RS Committee Meeting, subject to conditions.

INSPECTIONS DEPARTMENT (271068)

Chapter 249 Property at 2535 16th Av S: Request to demolish property.

Chapter 249 Property at 2655 15th Av S: Authorize rehabilitation, subject to conditions.

LICENSES AND CONSUMER SERVICES (271069)

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (271070)

Uncle Bills Market (2426-28 Plymouth Av N): Refer Grocery and Tobacco Dealer Licenses to Administrative Law Judge for contested hearing.

Big Stop (1800 26th Av N): Revoke Grocery, Off-Sale Beer and Tobacco Dealer Licenses.

Al's Stop Market (1800 26th Av N): Deny application for Grocery and Food Manufacturer Licenses.

POLICE DEPARTMENT (271071)

Service of Alcohol: Ordinance amending Title 14, Chapter 370 of Code relating to Liquor and Beer: Regulations Involving Minors, prohibiting a liquor licensee or the licensee's agents or employees from authorizing other agents or employees of the licensee to serve liquor or beer to a minor.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

POLICE DEPARTMENT (271072)

Police Honor Guard: Accept donation of \$6,000 from Police Relief Association for the Honor Guard.

Speed Limit Enforcement Program: Accept \$6,000 grant and execute agreement with Minnesota Department of Public Safety to reimburse overtime costs to officers for increased enforcement, in conjunction with State Patrol, targeting speed violations and other enforcement to reduce accidents; and approve appropriation.

Law Enforcement and Crime Prevention in Whittier Neighborhood: Accept up to \$7,680 in grant funds and execute agreement with Whittier Neighborhood to support increased law enforcement and crime prevention initiatives in neighborhood; and approve appropriation.

2004 Urban Areas Security Initiative Grant Program: Execute no-cost contract extension with Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to allow additional time to expend grant funds for purchasing equipment for the Police Department Bomb/Arson Unit for City and Statewide bomb disposal response.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (271073)

2006 NPDES Stormwater Management Program and Annual Report: Set public hearing.

2006 Public Works Capital Projects Overview: Receive and file.

XCEL ENERGY/NSP (271074)

Install one (1) new 55'3 pole for an overhead line extension at 4747 Nicollet Av; W.O. #161936.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (271075)

Sale of City-Owned Property at 1315-1319 Penn Av N: Public hearing; Approve sale to NorthPoint Health & Wellness Center, Inc.

Solid Waste and Recycling Services: Request for Proposals.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (271076)

27th Av S Reconstruction Project: (9th St S to 29th St E): a) Order work to proceed and adopt special assessments; b) Request Board of Estimate & Taxation to issue and sell assessments bonds; and c) Order abandonment and removal of areas in public street right-of-way in conflict with project; Comments.

Transportation Planner: Authorize hire of Ms. Anna Flintoft at Step 6.5 of salary scale.

East River Parkway Bridge Over Bridal Veil Falls and Approach Roadway Reconstruction:

a) Decrease appropriation for State Bridge Bonds; b) Abandon Project PV002 decreasing appropriation and substituting East River Parkway Bridge Project; and c) Re-designate Net Debt Bonds to the East River Parkway Bridge Project.

Bids: Accept a) OP #6562, low bid of Edward Kraemer & Sons, Inc. for reconstruction of East River Parkway Bridge and Approach Roadway Reconstruction; b) OP #6570, low bids of Robert Innes Jr., Scott Innes, and Hugstad Vaa Contracting, to furnish rental of skid steer loaders, with operator, through December 31, 2006; and c) OP #6573, low bid of Cemstone Products Company to deliver ready mix concrete.

WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (271077)

Green Institute Section 108 HUD Loan Update: Receive and File.

PURCHASING (271078)

Staff Purchasing Letters: Receive and File.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (271079)

Legal Settlement: Alan Groesbeck v. Minneapolis Water Works.

Master Legal Services Agreement: Authorize City Attorney to amend the "Master Agreement" between the City of Minneapolis and Jardine, Logan & O'Brien LLC law firm for the period of March 23, 2004 through March 23, 2007.

BUSINESS INFORMATION SERVICES (BIS) (271080)

Digital Health Department Application: Authorize issuance of a contract with Garrison Enterprises as the host for five years for the Digital Health Department Application; Approve appropriation.

SAS Institute, Inc.: Authorize execution of a 1-year, \$50,000 non-standard contract with SAS Institute, Inc. to furnish its activity-based management application, support and maintenance in 2006; Approve appropriation.

CITY CLERK (271081)

Council Office Associate Position: Authorize proper City officers to offer Step 7 on the pay scale for Barbara Anderson in the position of Council Office Associate effective upon hire.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (271082)

Empowerment Zone Governance Board North Minneapolis Community Transformation Initiative Request for Proposals: Authorize execution of contract with Real Asset Capital, LLC for the amount of \$650,000 in Empowerment Zone funds, for the redevelopment of the Broadway Shopping Center.

COORDINATOR (271083)

New Central Library Project - Change Order: Approve Change Order No. 04.005 increasing Contract Number C-19758 with Graham Penn-Co Construction, Inc. (\$91,846).

FINANCE DEPARTMENT (271084)

Capital Long-Range Improvement Committee (CLIC) Appointments: Approve 1 Mayoral and 2 City Council appointments of CLIC members Jason C. Stone (Ward 11), Michael Vennewitz (Ward 1), and Emily Serafy Cox (Ward 2).

City Representative to Minneapolis Police Relief Association and Minneapolis Firefighters Relief Association: Appointment of LeaAnn M. Stagg (Treasury Director, Finance).

Fourth Quarter 2005 Gift Acceptance: Acceptance of 4th quarter list of donations valued under \$1,000.

2005 Supplemental Appropriation: Recommendation to increase budgets in the funds and agencies set forth in Appendix A.

Contract Administrator position: Authorize hire Ms. Pamela Fernandez at Step 3, for Contract Manager, Finance Department.

Technology Expenditures and Financial Policy Changes: Passage of Resolution amending the 2006 Capital Appropriation resolution increasing the budgets in the fund for technology expenditures; Authorization to revise existing financial policies to outline criteria for prepayment of technology projects.

Reappropriation of 2005 Remaining Budget to 2006: Amendments.

GRANTS AND SPECIAL PROJECTS (271085)

River City Trolley Project: Authorize solicitation of bids for grant eligible replacement items, purchase, and requisition for their installments; Approve amendment to the Capital Improvement Appropriation to reflect funding.

HUMAN RESOURCES (271086)

Business Information Services Department Positions: Approve reclassification of budgeted Director, Information Technology Services positions; Passage of Salary Ordinance.

New Appointed Position: Deputy Director, License & Consumer Services: Approve proposed position allocated to grade 13, 590 points and Passage of Salary Ordinance.

Citywide Unclassified Positions: Council finds that the positions listed are Unclassified Appointed Positions.

Director, Employee Services: Authorize increase in salary for Mr. Timothy Giles, Director, Employee Services.

Teamsters Local #320, 911 Supervisors: Execute 2-year collective bargaining labor agreement.

LIBRARY, MINNEAPOLIS PUBLIC (271087)

New Central Library Project: Amend the 2006 Capital Improvement Appropriation by adding the appropriation for the funding from the Friends of the Minneapolis Public Library in the amount of \$13,635,000 for the New Central Library Project.

REGULATORY SERVICES (271088)

Assistant Building Official, Construction Inspection Services: Hire Steve Hanson at Step 5.

ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT (271089)

Environmental Assessment Worksheet (EAW): Bennett Lumber Parcels 1 and 2 (2828 Emerson Ave S): Approve recommendation that development of an Environmental Impact Statement not be ordered for a development project.

ZONING AND PLANNING (See Rep):

INSPECTIONS/BOARD OF ADJUSTMENT (271090)

Appeal:

James Gray (2325 Grand Ave S); appeal filed from the decision of the Board of Adjustment regarding variances for a proposed seven-stall surface parking lot accessory to a multiple family residence.

PLANNING COMMISSION:

Duane Thorpe (271091)

Vacation of 80' R.O.W. to 6' R.O.W. along W 34th St. between Irving Av. So. & Humboldt Av. So. To reduce R.O.W. to typ. Residential street so that R.O.W. doesn't run through porch at 1512 W 34th & avoid variance for addition at 3401 Irving Av. So and return land to property owners.

FILED:

MACPHAIL CENTER FOR MUSIC (271092)

Permission to vacate the existing drainage and utility easement located within the westerly property line of Lot 1, Block 1, Outlot A, Milwaukee Depot East to allow for construction of the MacPhail Center for Music as per plans.

TAYLOR, MICHAEL (271093)

22nd Avenue Station (2121 University Ave NE): Correspondence received re amortization of an adult use business. (See Z&P report of 1/27/06)

The following reports were signed by Mayor Rybak on April 6, 2006, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee, having under consideration the recommendation of the Department of Community Planning & Economic Development to approve the sale of the properties at 2933 – 5th Ave S and 2937 – 5th Ave S to Willenbring Companies, Inc for \$50,000 for each parcel, and having considered the City Planning Commission's recommendation that the City consider the option of retaining the parcels at this time for potential redevelopment of a larger site including these parcels, now recommends denial of the sale of said properties to Willenbring Companies, Inc.

Adopted 3/31/06.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 5146 Bryant Ave N to Mohammad Thabet for \$27,000, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 3/31/06.

Resolution 2006R-142, authorizing sale of land Tax Forfeiture Program Disposition Parcel No TF-575 at 5146 Bryant Ave N, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-142

By Goodman

Authorizing sale of land Tax Forfeiture Program Disposition Parcel No TF-575 (5146 Bryant Avenue North).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-575, in the Lind-Bohanon neighborhood, from Mohammad Thabet, hereinafter known as the Redeveloper, the Parcel TF-575, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-575; 5146 Bryant Avenue North: Lot 34, Block 1, "Aldrich Avenue Addition to Minneapolis." Being registered land as is evidenced by Certificate of Title No. 1142793; and

Whereas, the Redeveloper has offered to pay the sum of \$27,000, for Parcel TF-575 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on March 10, 2006, a public hearing on the proposed sale was duly held on March 21, 2006, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Tax Forfeiture Program plan, as amended, is hereby estimated to be the sum of \$27,000 for Parcel TF-575.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions; 1) land sale closing must occur on or before 30 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$150.00 per month from the date of approval of this Resolution if the land sale closing does not occur on or before 30 days from the date of approval.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development (CPED) Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 3/31/06.

Comm Dev – Your Committee, having under consideration the reuse of bond proceeds previously issued to Group Health Plan, Inc, for improvements to a number of HealthPartners clinics located in 12 cities, including the City of Minneapolis, now recommends passage of the accompanying resolution giving approval to the reallocation of revenue bond proceeds from the Series 2003 bonds issued to Group Health Plan, Inc, for other eligible projects costs associated with the HealthPartners, Inc Project, and that the proper City officers be authorized to execute necessary agreements.

Adopted 3/31/06.

Resolution 2006R-143, approving the reuse of bond proceeds for a project for Group Health Plan, Inc for HealthPartners clinics, and authorizing the execution of necessary documents, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-143
By Goodman

Approving the reuse of bond proceeds for a project for Group Health Plan, Inc. and authorizing the execution of necessary documents.

Whereas, the City of Minneapolis (the “City”) and the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the “Authority”) have heretofore jointly issued their Health Care Facility Revenue Bonds, Project, Series 2003 (Health Partners Obligated Group Project) (the “Series 2003 Bonds”) to finance certain facilities operated by Group Health Plan, Inc., a Minnesota nonprofit corporation (the “Company”) in various municipalities, including the City and the City of Saint Paul (“Saint Paul”) (collectively, the “Bond Financed Facilities”); and

Whereas, the Company has advised the City and the Authority that it intends to sell a portion of the Bond Financed Facilities located in the City and Saint Paul; and

Whereas, the Company has requested that the City approve the application of a portion of the proceeds received by the Company from the sale of the portion of the Bond Financed Facilities located in the City to capital costs of other facilities operated by the Company and located in the City (collectively, the “New Facilities”); and

Whereas, pursuant to an agreement among the Company, the City, the Authority and Wells Fargo Minnesota National Association, the Trustee for the Series 2003 Bonds (the “Trustee”)(the “Agreement”) a form of which has been presented to the City Council for approval, a portion of the sale proceeds from the sale of the Bond Financed Facilities will be held by the Trustee and disbursed to the Company to pay or reimburse the Company for capital costs of the New Facilities; and

Whereas, the City Council on the same date held a public hearing on the reuse of a portion of the proceeds of the Series 2003 Bonds to pay the capital costs of the New Facilities;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. **Findings.** It is hereby founded and determined declared that the purpose of the New Facilities is and the effect thereof will be to promote the public welfare by providing for the continuation of health care operations of the Company.

2. **Approval.** The City approves the application of a portion of the sales proceeds received from the sale of a portion of the Bond Financed Facilities to pay for capital costs of the New Facilities as more fully set forth in the Agreement. The Agreement, in substantially the form submitted, is directed to be executed in the name and on behalf of the City by the Finance Director. Any other documents or certificates necessary to the transaction described in the Agreement shall be executed by the Finance Director.

3. Changes in Forms Approved; Absent and Disabled Officers. The approval hereby given to the Agreement referred to above includes approval of such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City Attorney and by the City officials authorized herein to execute or accept, as the case may be, said Agreement prior to its execution; and said City officials are hereby authorized to approve said changes on behalf of the City. The execution of any instrument by the appropriate officer or officers of the City herein authorized shall be conclusive evidence of the approval of such document in accordance with the terms hereof. In the event of absence or disability of the Finance Officer, any of the documents authorized by this Resolution to be executed may be executed without further act or authorization of the Council by any member of the Council or any duly designated acting official, or by such other officer or officers of the Council as, in the opinion of the City Attorney, may act in their behalf.

4. Headings; Terms. Paragraph headings in this Resolution are for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

Adopted 3/31/06.

Comm Dev— Your Committee, having under consideration the issuance of bonds on behalf of 2100 Bloomington Limited Partnership to acquire and rehabilitate 90 units of rental housing with Section 236 project based rental assistance at 2100 Bloomington Ave S, now recommends passage of the accompanying resolution granting approval to refund \$3,250,000 in Tax-exempt Multi-Family Entitlement Bonds for said project.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06

(Published 4/6/06)

Resolution 2006R-144, authorizing the issuance and sale of the \$3,250,000 Multifamily Housing Revenue Refunding Notes Series 2006A, B and C on behalf of 2100 Bloomington Limited Partnership for the 2100 Bloomington Court Project, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-144

By Goodman

Authorizing the issuance and sale of the \$3,250,000 Multifamily Housing Revenue Refunding Notes Series 2006A, B and C (2100 Bloomington Court Project).

Resolved by The City Council of The City of Minneapolis:

Section 1. Findings.

The City Council has heretofore determined, and does hereby determine, as follows:

1.1. The City proposes to redeem and refund its \$3,250,000 Multifamily Housing Revenue Note of 2005 (2100 Bloomington Court Project) (the "Prior Note") issued for the benefit of 2100 Bloomington Limited Partnership, a Minnesota limited partnership (the "Borrower") to provide for the acquisition and renovation of a 90-unit multifamily housing facility located at 2100 Bloomington Avenue South, Minneapolis (the "Project") and to enter into a Loan Agreement with the Borrower (the "Loan Agreement") to provide for repayment of the Note for the public purposes expressed in Minnesota Statutes, Chapter 462C, as amended.

1.2. In authorizing the refinancing of the Prior Note and financing of the Project the City's purpose is, and in its judgment the effect thereof will be, to promote the public welfare by providing affordable housing facilities in the community.

1.3. It is desirable to issue the \$3,250,000 Multifamily Housing Revenue Refunding Notes, Series 2006A, B and C (2100 Bloomington Court Project) in the form of three Notes totaling no more than \$3,250,000 (collectively, the "Notes") to redeem and refund the Prior Note and finance the Project,

1.4. The Notes and the interest accruing thereon do not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitation and do not constitute or give rise to a pecuniary liability or a charge against the general credit or taxing powers of the City and neither the full faith and credit nor the taxing powers of the City is pledged for the payment of the Notes or interest thereon.

Section 2. The Notes.

2.1. Authorized Amount and Form of Notes. The Notes issued pursuant to this Resolution shall be in substantially the forms set forth on Exhibit A to the Loan Agreement, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution, and in accordance with the further provisions hereof; and the total principal amount of the Notes that may be outstanding hereunder is expressly limited to \$3,250,000 unless a duplicate Note is issued pursuant to Section 2.7.

2.2. The Notes. The Notes shall be dated as of the date of delivery, shall be payable at the times and in the manner, shall bear interest at the rate, and shall be subject to such other terms and conditions as are set forth therein.

2.3. Execution. The Notes shall be executed on behalf of the City by the signatures of its Finance Officer, registered by the Finance Officer, and shall be sealed with the seal of the City. In case any officer whose signature shall appear on the Notes shall cease to be such officer before the delivery of the Notes, such signature shall nevertheless be valid and sufficient for all purposes, the same as if it had remained in office until delivery. In the event of the absence or disability of the Finance Officer such officers of the City as, in the opinion of the City Attorney, may act in their behalf, shall without further act or authorization of the City Council execute and deliver the Notes.

2.4. Delivery of Notes. Before delivery of the Notes there shall be filed with U.S. Bank National Association (the "Lender") (except to the extent waived by the Lender) the following items:

- (a) an executed copy of each of the following documents:
 - (1) the Loan Agreement;
 - (2) the Pledge Agreement between the City and Lender (the "Pledge Agreement");
 - (3) the Mortgage, Security Agreement, Assignment of Rents and Leases and Fixture Financing Statement from the Borrower to the City (the "Mortgage");
 - (4) the Assignment of Mortgage from the City to the Lender (the "Assignment");
 - (5) the Amendment to Regulatory Agreement among the City, the Borrower and the Lender (the "Amendment"); and
 - (6) such other security and disbursing documents as required by the Lender.
- (b) an opinion of Counsel for the Borrower as prescribed by Bond Counsel and the Lender;
- (c) the opinion of Bond Counsel as to the validity and tax exempt status of the Notes; and
- (d) such other documents and opinions as Bond Counsel may reasonably require for purposes of rendering its opinion required in subsection (c) above or that the purchasers may reasonably require for the closing.

2.5. Disposition of Note Proceeds. Upon delivery of the Notes, the purchase price paid will be disbursed in accordance with the Disbursing Agreement between the Borrower and the Lender.

2.6. Registration of Transfer. The City will cause to be kept with the transcript of the documents relating to the Notes a Note Register in which, subject to such reasonable regulations as it may prescribe, the City shall provide for the registration of transfers of ownership of the Notes. The Notes shall be initially registered in the name of the original purchasers and shall be transferable upon the Note Register by the holders in person or by an agent duly authorized in writing, upon surrender of a Note together with a written instrument of transfer satisfactory to the Finance Officer, duly executed by the holder or its duly authorized agent. The following form of assignment shall be sufficient for such purpose.

For value received _____ hereby sells, assigns and transfers unto _____ the within Note of the City of Minneapolis, Minnesota, and does hereby irrevocably constitute and appoint _____ attorney to transfer such Note on the books of such City with full power of substitution in the premises. The undersigned certifies that the transfer be made in accordance with the provisions of Section 2.9 of the Resolution relating to the above Note.

Dated: _____
Registered Owner

Upon such transfer the Finance Officer shall note the date of registration and the name and address of the new holder in the Note Register and in the registration blank appearing on the Note.

2.7. Mutilated, Lost or Destroyed Note. In case any Note issued hereunder shall become mutilated or be destroyed or lost, the City shall, if not then prohibited by law, cause to be executed and delivered, a new Note of like outstanding principal amount, number and tenor in exchange and substitution for and upon cancellation of such mutilated Note, or in lieu of and in substitution for such Note destroyed or lost, upon the holder's paying the reasonable expenses and charges of the City in connection therewith, and in the case of a Note destroyed or lost, the filing with the City of evidence satisfactory to the City with indemnity satisfactory to it. If the mutilated, destroyed or lost Note has already matured or been called for redemption in accordance with its terms it shall not be necessary to issue a new Note prior to payment.

2.8. Ownership of Note. The City may deem and treat the person in whose name the Note is last registered in the Note Register and by notation on the Note whether or not such Note shall be overdue, as the absolute owner of such Note for the purpose of receiving payment of or on account of the principal balance, redemption price or interest and for all other purposes whatsoever, and the City shall not be affected by any notice to the contrary.

2.9. Limitation on Note Transfers. The Notes have been issued without registration under state or other securities laws, pursuant to an exemption for such issuance; and accordingly the Notes may not be assigned or transferred in whole or part, nor may a participation interest in the Notes be given pursuant to any participation agreement, except in accordance with an applicable exemption from such registration requirements.

2.10. Issuance of New Notes. Subject to the provisions of Section 2.9, the City shall, at the request and expense of a holder, issue new notes, in aggregate outstanding principal amount equal to that of the Notes surrendered, and of like tenor except as to number, principal amount, and the amount of the monthly installments payable thereunder, and registered in the name of the holder or such transferee as may be designated by the holder.

2.11. Designation as "Program Bonds." The Notes are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted August 12, 1997.

Section 3. General Covenants.

3.1. Payment of Principal and Interest. The City covenants that it will promptly pay or cause to be paid the principal of and interest on the Notes at the place, on the dates, solely from the source and in the manner provided herein and in the Notes. The principal and interest are payable solely from and secured by revenues and proceeds derived from the Loan Agreement, the Pledge Agreement, the Mortgage and the other security documents required by the Lender (the "Security Documents"), which revenues and proceeds are hereby specifically pledged to the payment thereof in the manner and to the extent specified in the Notes and the Security Documents; and nothing in the Notes or in this Resolution shall be considered as assigning, pledging or otherwise encumbering any other funds or assets of the City.

3.2. Performance of Covenants. The City covenants that it will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in this Resolution, in the Notes and in all proceedings of the City Council pertaining thereto. The City agrees to enforce all covenants and obligations of the Borrower under the Loan Agreement, upon request of the holders of the Notes and being indemnified to the satisfaction of the City for all expenses and claims arising therefrom, and to perform all covenants and other provisions pertaining to the City contained in the Notes and the Loan Agreement and subject to Section 3.4.

3.3. Nature of Security. Notwithstanding anything contained in the Notes, the Security Documents or any other document referred to in Section 2.4 to the contrary, under the provisions of the Act the Notes may not be payable from or be a charge upon any funds of the City other than the revenues and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon, nor shall the Notes otherwise contribute or give rise to a pecuniary liability of the City or, to the extent permitted by law, any of the City's officers, employees and agents. No holder of the Notes shall ever have the right to compel any exercise of the taxing power of the City to pay the Notes or the interest thereon, or to enforce

payment thereof against any property of the City other than the revenues pledged under the Pledge Agreement; and the Notes shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City; and the Notes shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation. The City has made the covenants and agreements herein for the benefit of the purchasers; provided that in any event, the agreement of the City to perform or enforce the covenants and other provisions contained in the Notes, the Loan Agreement and the Pledge Agreement shall be subject at all times to the availability of revenues under the Loan Agreement sufficient to pay all costs of such performance or the enforcement thereof, and neither the City nor any of its officers, employees or agents shall be subject to any personal or pecuniary liability thereon.

Section 4. Miscellaneous.

4.1. Severability. If any provision of this Resolution shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions or in all cases because it conflicts with any provisions of any constitution or statute or rule or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses or paragraphs in this Resolution contained shall not affect the remaining portions of this Resolution or any part thereof.

4.2. Authentication of Transcript. The officers of the City are directed to furnish to Bond Counsel certified copies of this Resolution and all documents referred to herein, and affidavits or certificates as to all other matters which are reasonably necessary to evidence the validity of the Notes. All such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute recitals of the City as to the correctness of all statements contained therein.

4.3. Authorization to Execute Agreements. The forms of the proposed Loan Agreement and the Pledge Agreement are hereby approved in substantially the form heretofore presented to the City Council, together with such additional details therein as may be necessary and appropriate and such modifications thereof, deletions therefrom and additions thereto as may be necessary and appropriate and approved by Bond Counsel prior to the execution of the documents, and the Finance Officer is authorized to execute the Loan Agreement and the Pledge Agreement in the name of and on behalf of the City and such other documents as Bond Counsel consider appropriate in connection with the issuance of the Note. In the event of the absence or disability of the Finance Officer such officers of the City as, in the opinion of the City Attorney, may act in his behalf, shall without further act or authorization of the City Council do all things and execute all instruments and documents required to be done or executed by such absent or disabled officers. The execution of any instrument by the appropriate officer or officers of the City herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof.

Be It Further Resolved that this Resolution shall take effect upon publication.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06

Comm Dev – Your Committee, having under consideration the Hennepin County Taxpayer Services Department (TPS) rehabilitated property at 3358 Russell Ave N, now recommends passage of the accompanying resolution authorizing the Hennepin County Housing & Redevelopment Agency to conduct business within the City of Minneapolis for the purpose of acting as a pass-through for said property to the City of Lakes Community Land Trust.

Adopted 3/31/06.

Resolution 2006R-145, approving the acquisition and sale of tax-forfeited land at 3358 Russell Av N, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-145

By Goodman

Approving the acquisition and sale of tax-forfeited land (3358 Russell Avenue North).

Whereas, the Hennepin County Housing and Redevelopment Authority proposes to purchase tax-forfeited land located at 3358 Russell Avenue North in Minneapolis, Minnesota, and convey said land to City of Lakes Community Land Trust for the development of affordable single family housing (the "Project"); and

Whereas, Minnesota Statutes, Section 383B.77, Subd 3, requires that this City Council must approve a project undertaken by the Hennepin County Housing and Redevelopment Authority before such a project may be undertaken within this City; and

Whereas, it is deemed in the best interest of this community to approve the Hennepin County Housing and Redevelopment Authority's implementation of the Project as an approved project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That pursuant to Minnesota Statutes, Section 383B.77, Subd 3, the City Council approves the Project and approves of the Project assistance to be provided by the Hennepin County Housing and Redevelopment Authority to facilitate the acquisition and redevelopment of the subject property, subject to the following requirements: That this City retains its jurisdiction over all issues of local concern relating to zoning, land usage, building code requirements and compliance with all applicable city codes and ordinances.

Adopted 3/31/06.

Comm Dev – Your Committee, having under consideration the Heritage Park Redevelopment Project – Phases 3 and 4, now recommends that the proper City officers be authorized as follows:

- a) To negotiate a term sheet with Centex Homes – Minnesota Division for Phases 3 and 4 of Heritage Park for 30 days; and
- b) To accept the Phases 3 and 4 withdrawal letter from Heritage Housing LLC to allow them to focus on completing Phases 1 and 2.

Adopted 3/31/06.

Comm Dev – Your Committee, having under consideration the City's effort to address predatory lending issues in Minneapolis' communities, now recommends that the proper City officers be authorized to enter into a grant agreement with the Family Housing Fund in the amount of \$90,000 to support the "Don't Borrow Trouble" Minnesota campaign.

Adopted 3/31/06.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration a request for increased support for the Foreclosure Prevention Program, now recommends:

- a) That the proper City officers be authorized to reallocate \$44,224 of program income from the Community Planning & Economic Development (CPED) home improvement programs to the Foreclosure Prevention Program;
- b) Approval of an exception to the Procurement Policy to allow the City to enter into a grant agreement with the Home Ownership Center to provide these services; and
- c) Passage of the accompanying resolution increasing the CPED appropriation by \$44,224.

Adopted 3/31/06.

RESOLUTION 2006R-146
By Goodman and Ostrow

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Community Planning and Economic Development Agency 400-CDBG-HOME-ESG-UDAG Fund (0400-890-8953) by \$44,224.

Adopted 3/31/06.

Comm Dev & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a funding agreement between the City of Minneapolis and the St. Anthony Falls Heritage Board accepting a planning fund allocation in the amount of \$25,000 to allow for an archaeological survey on Parcel D West, The Nine and The Portland site, located at the corner of Portland Ave and 2nd St S.

Your Committee further recommends passage of the accompanying resolution increasing the Community Planning and Economic Development Department appropriation by \$25,000 to reflect receipt of funds.

Adopted 3/31/06.

RESOLUTION 2006R-147
By Goodman and Ostrow

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

- a) Increasing the appropriation for the Community Planning and Economic Development Agency in the Other Grants-State & Local Fund (0600-890-8933) by \$25,000;
- b) Increasing the Community Planning and Economic Development Agency revenue source in the Other Grants-State & Local Fund (600-890-8490) by \$25,000.

Adopted 3/31/06.

Comm Dev & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Department of Community Planning & Economic Development on Official Publication No. 6566 from Ram Construction and Remodeling, in the amount of \$139,450, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish renovation at 2127 Queen Ave N, as specified in said bid.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications, and contingent upon approval of the Civil Rights Department.

Adopted 3/31/06.

Comm Dev & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Department of Community Planning & Economic Development on Official Publication No. 6576 from EnviroBate Metro, Inc, in the amount of \$143,000, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish renovation of the single family home at 2612 Plymouth Ave N, as specified in said bid.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications, and contingent upon approval of the Civil Rights Department.

Adopted 3/31/06.

Comm Dev & W&M/Budget – Your Committee, having under consideration receipt of Metropolitan Council's Hiawatha Light Rail Transit (LRT) Land Assembly Fund grant awards, now recommends that the proper City officers be authorized to accept and appropriate awards for the following projects, and to execute such agreements as may be necessary to implement the LRT Land Assembly Fund grants with the Metropolitan Council, Fine Associates (or affiliated entity or general partner), Seward Redesign (or affiliated entity or general partner), and Capital Growth, Real Estate (or affiliated entity or general partner) consistent with the terms and conditions described in the Department of Community Planning & Economic Development (CPED) staff report:

\$1,720,000 for the Currie Park Lofts and Station Place Project;
\$800,000 for the Franklin LRT Station Project;
\$750,000 for the 46th Street Town Square: Snelling Avenue Extension; and
\$230,000 for the Longfellow Station.

Your Committee further recommends passage of the accompanying resolution increasing the CPED appropriation by \$3,500,000 to reflect the receipt of said grant funds.

Adopted 3/31/06.

RESOLUTION 2006R-148
By Goodman and Ostrow

Amending the 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Increasing the appropriation for the Community Planning and Economic Development Agency in the Other Grants-State & Local Fund (0600-890-8933) by \$3,500,000;

b) Increasing the Community Planning & Economic Development Agency revenue source in the Other Grants-State & Local Fund (0600-890-8490, Revenue Source 3215) by \$3,500,000.

Adopted 3/31/06.

The **HEALTH, ENERGY & ENVIRONMENT** Committee submitted the following reports:

HE&E - Your Committee, having under consideration the Mayor's appointment of Jennie Carlson to the Minneapolis Private Industry/Workforce Council, now recommends that the residency requirement be waived to appoint Jennie Carlson to the private sector seat on the Council, pursuant to Section 14.180(m)(3) of the Minneapolis Code of Ordinances which allows a waiver for persons providing a unique and special benefit to the City.

Adopted 3/31/06.

HE&E - Your Committee recommends concurrence with the recommendation of the Mayor to appoint and reappoint the following persons to serve on the Minneapolis Advisory Committee on People with Disabilities for terms to expire December 31, 2007:

Appointment

Loretta Grewe, Ward 4

Reappointments

Michael Foster, Ward 8

Margot Imdieke Cross, Ward 2

Frank Morisano, Ward 7

Lee Perish, Ward 2

Nicole Roberts, Ward 12

Mark Siegel, Ward 7.

Adopted 3/31/06.

HE&E - Your Committee, having under consideration the Minneapolis Sustainability Plan, now recommends adoption of the Sustainability Indicators and Targets, as amended, as set forth in Petn No 271060 on file in the Office of the City Clerk.

Further, that Regulatory Services staff be directed to work in conjunction with the Library Board on developing recommended sustainability goals in the future for libraries.

Gordon moved to amend the report to direct staff to report back to the Health, Energy and Environment Committee by May 15th with recommendations for a Livable Wage target to add to Sustainability Indicator 12. Seconded.

Adopted upon a voice vote.

Samuels moved to amend the report by directing staff to amend the Sustainability Target to include geographic and racial breakdowns for the following indicators:

13. Infant mortality rate
14. Teen birth rate
16. Percent of children 9 - 36 months receiving blood lead testing
17. Incidences of asthma reported to emergency rooms
19. Incidence rate per 100,000 of gonorrhea, Chlamydia, and HIV
- 20 Minneapolis Public Schools graduation rate
22. Number of homicides
23. Number of block clubs.

Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 3/31/06.

The **HEALTH, ENERGY & ENVIRONMENT** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

HE&E & T&PW - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for the sale of the South Transfer Station for the purpose of development of a biomass combined heat and power generation facility. Further, that the RFP reflect that there be no City subsidies involved in the sale or operation of the biomass plant.

Adopted 3/31/06.

The **HEALTH, ENERGY & ENVIRONMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

HE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute the Workforce Investment Act (WIA) Title I Grant Agreement with the Minnesota Department of Employment and Economic Development for the release of funding under Adult, Youth and Dislocated WIA and the Minnesota Youth Program during the period April 1, 2006 through March 31, 2009.

Adopted 3/31/06.

HE&E & W&M/Budget - Your Committee, having under consideration the lease agreement for the MEDICA Skyway Senior Center, now recommends that the proper City officers be authorized to amend Contract #16770 with RC-NRI, LLLP, successor-in-interest to RC-NRI, LLC ("Ryan"), to extend the contract for an additional new five-year license period of October 1, 2006 through September 30, 2011; at an estimated cost of \$130,000, for rent payments for the use of 2,182 square feet of space for the Skyway Senior Center located on the skyway level of the downtown Target Store and Office Complex.

Adopted 3/31/06.

(Republished 5/20/06)

HE&E & W&M/Budget - Your Committee, having under consideration the subject matter of a prevention approach to violence, now recommends the following:

HE&E - that the proper City officers be authorized to allocate up to \$500,000 of local Public Health funds to be used for grants over a two-year period to community based organizations serving youth

between the ages of 13 and 18. Funding priority will be given to program plans that include specific strategies for engaging disengaged/disconnected youth, and offer services, opportunities and support for youth incorporating best practices for youth development and violence prevention.

W&M/Budget - that the proper City officers be authorized to allocate up to \$500,000 of local Public Health funds to be used for grants over a two-year period to community based organizations serving youth between the ages of 10 and 15. Funding priority will be given to program plans that include specific strategies for engaging disengaged/disconnected youth who are at risk of joining gangs, and offer services, opportunities and support for youth incorporating best practices for youth development and violence prevention.

Further, staff be directed to report back to Committee the first Council cycle in May with recommendations for budget decisions on the expenditure of public health dollars.

Gordon moved to amend the Ways & Means/Budget recommendation by deleting the language "ages of 10 and 15" and inserting in lieu thereof "ages of 10 and 18". Seconded.

Adopted. Yeas, 7; Nays, 6 as follows:

Yeas - Ostrow, Glidden, Remington, Genson, Hodges, Samuels, Gordon.

Nays - Schiff, Lilligren, Colvin Roy, Goodman, Hofstede, Johnson.

Benson moved to amend the Ways & Means/Budget recommendation by adding the following paragraph:

"The City Council authorizes an expedited process for entertaining Request for Proposals on the proper expenditure of the 2006 Local Public Health Act funds previously received by the City of Minneapolis relative to addressing violence in the City of Minneapolis. Specifically, the City Council now authorizes the appropriate City staff to publish the Request for Proposals without a Permanent Review Committee review, evaluate the proposals, select the successful proposal and, without further council approval, enter into the appropriate contract(s) with the selected vendor(s)." Seconded.

Adopted upon a voice vote.

Benson moved to amend the report by approving the Ways & Means/Budget recommendation, as amended, and deleting the Health, Energy & Environment Committee recommendation. Seconded.

Adopted 3/31/06.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR - Your Committee recommends that the Council support Senate File No. 2660, a bill for an act relating to local government; permitting the Minneapolis Park and Recreation Board and the Minneapolis City Council to impose a park dedication fee on new housing units.

Adopted 3/31/06.

Absent – Benson.

IGR - Your Committee recommends that the Council support Senate File No. 3216, a bill for an act relating to housing; regulating condominium conversions; amending Minnesota Statutes 2005 Supplement, section 515B.1-106 that removes the following language: "(f) Any ordinance or charter provision enacted hereunder shall not be effective for a period exceeding 18 months."

Adopted 3/31/06.

Absent – Benson.

IGR - Your Committee, having under consideration the request on behalf of the Minneapolis Fire Department to support legislation for an act relating to public safety; establishing the fire safety account from revenues on fire premiums and assessments; abolishing the fire insurance tax; appropriating money; proposing coding for new law in Minnesota Statutes, Chapter 299F; repealing Minnesota Statutes 2004, section 2971.05, subdivision 6, now recommends that the City endorse legislation establishing the fire safety account from revenues on fire premiums and assessments.

Adopted 3/31/06.

Absent – Benson.

IGR – Your Committee recommends that the City's Flood Area 5 Project be added to the City's Fiscal Year 2007 Federal Legislative Agenda, and that Flood Area 5 be listed as a priority for federal funding.

Adopted 3/31/06.

Absent – Benson.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 370 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Regulations Involving Minors*, amending Section 370.10, *Sale to minors*, to prohibit a liquor licensee or the licensee's agents or employees from authorizing other agents or employees of the licensee to serve liquor or beer to a minor, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 3/31/06.

Ordinance 2006-Or-025 amending Title 14, Chapter 370 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Regulations Involving Minors*, amending Section 370.10 prohibit a liquor licensee or the licensee's agents or employees from authorizing other agents or employees of the licensee to serve liquor or beer to a minor, was adopted 3/31/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2006-Or-025
By Ostrow and Hofstede
Intro & 1st Reading: 2/24/06
Ref to: PS&RS
2nd Reading: 3/31/06

Amending Title 14, Chapter 370 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Regulations Involving Minors.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 370.10 of the above-entitled ordinance be amended to read as follows:

370.10. Sale to minors. No person licensed under Chapters 362, 363 or 366, or such licensee's agent or employees, shall serve, authorize another to serve or dispense upon the licensed premises any liquor or beer to any person under the age of twenty-one (21) years; nor shall such licensee, or the licensee's agent or employee, permit any person under the age of twenty-one (21) years to be furnished with any liquor or beer on the licensed premises. For purposes of this section, the term "authorize another to serve" means:

(a) Verbally affirming or otherwise representing to another agent or employee of the licensee that a person under the age of twenty-one (21) years may be served any liquor or beer upon the licensed premises; or

(b) Affirming to another agent or employee of the licensee, by means of granting admittance to the licensed premises or affixing, placing or directing the affixing or placing of a mark, stamp, wristband or other identifiable sign, symbol or object upon a person under the age of twenty-one (21) years that said person may be served any liquor or beer upon the licensed premises.

Adopted 3/31/06.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to *Offenses—Miscellaneous: In General*, adopting housekeeping changes to the trespassing ordinance passed December 2, 2005, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 3/31/06.

Ordinance 2006-Or-026 amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to *Offenses—Miscellaneous: In General*, amending Section 385.380 to adopt housekeeping changes to the trespassing ordinance, was adopted 3/31/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2006-Or-026
By Ostrow
Intro & 1st Reading: 3/10/06
Ref to: PS&RS
2nd Reading: 3/31/06

Amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses—Miscellaneous: In General.

Section 1. That Section 385.380 (b) of the above-entitled ordinance be amended to read as follows:

385.380. Trespassing upon the land or property of another.

(b) Prohibitions.

(1) No person shall intentionally enter or remain upon or within the land or property of another and, without claim of right, refuse to depart therefrom on demand of a lawful possessor thereof or his or her agent. A demand to depart may be made orally, or in writing, by the lawful possessor or the possessor's agent, ~~or conspicuously~~. (2) No person who has received an oral or written demand to depart pursuant to this subsection shall reenter a lawful possessor's land or property without the written permission of a lawful possessor or the agent providing said demand for a period of up to one (1) year from the date of the oral or written demand, as provided therein.

(3 ~~2~~) No person shall intentionally enter or remain upon or within the land or property of another without permission from a lawful possessor thereof or his or her agent when such land or property includes signs conspicuously posted at reasonable intervals which prohibit trespass or trespass during certain hours on the affected land or property.

(4 ~~3~~) No person shall enter or remain upon or within the locked or posted property of another, or condemned or boarded or abandoned property, without claim of right or consent of a lawful possessor or his or her agent.

Adopted 3/31/06.

PS&RS - Your Committee, having under consideration the application of Gay Nineties Inc, dba Gay Nineties, 400 Hennepin Av, 1st & 2nd floor, for an On-Sale Liquor Class A with Sunday Sales License (expansion of premises for modified sidewalk cafe area) to expire January 1, 2007, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 3/31/06.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 3/31/06.

Resolution 2006R-149, granting applications for Liquor, Wine and Beer Licenses, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-149

By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Off-Sale Liquor, to expire January 1, 2007

TRBK Inc, dba Suite Life Catering, 600 1st Av N

Off-Sale Liquor, to expire April 1, 2007

D'Amico Catering, dba D'Amico Catering at the Atrium, 275 Market St

John Wolf Enterprises Inc, dba Chicago Lake Liquor Store, 825 E Lake St

Medich Ventures Inc, dba U Liquors, 901 Washington Av SE

Mickys Liquor Store Inc, dba Mickys Liquor Store, 1100 Plymouth Av N

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2007

Kierans Irish Pub LLC, dba Kierans Irish Pub, 330 2nd Av S

Great Suburban World Theatre LLC, dba Suburban World Theatre, 3022 Hennepin Av

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2007

Bryant-Lake Restaurants Inc, dba Bryant Lake Bowl, 810 W Lake St (new owner from BLB Inc)

Seville Operations LLC, dba The Seville Club, 15 Glenwood Av

D'Amico Catering LLC, dba D'Amico Catering at the Atrium, 275 Market St

Skyway lounge Inc, dba Skyway Lounge, 723 Hennepin Av

Wellbridge Licensing Inc, dba Calhoun Beach Club, 2730 W Lake St

Brinda-Heilicher of Mpls Inc, dba Williams Uptown Pub & Peanut Bar, 2911 Hennepin Av

Minikahda Club, dba Minikahda Club, 3205 Excelsior Blvd

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2006

Food and Drink Inc, dba Barfly, 711 Hennepin Av

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2006

Heaven & Earth Inc, dba Quest, 110 5th St N, 1st floor

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 2007

CSM Depot LLC, dba Courtyard by Marriott - Minneapolis Downtown at the Depot, 225 3rd Av
(change in ownership from CSM Hospitality Inc)

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2007

11th Street Restaurant Inc, dba Times Bar & Cafe/Jitters at the Times, 201 E Hennepin Av

Bartum's Inc, dba Lone Tree Bar & Grill, 528 Hennepin Av

Minneapolis Club, dba Minneapolis Club, 729 2nd Av S

Indian Restaurants of Minnesota LLC, dba New Delhi Bar & Restaurant, 1400 Nicollet Av

Lake & Hennepin BBQ and Blues Inc, dba Famous Dave's BBQ & Blues, 3001 Hennepin Av

Toonen Inc, dba Uptown Bar & Cafe, 3016 Hennepin Av

On-Sale Liquor Class B with Sunday Sales, to expire April 29, 2006

Campus Partners, dba Sallys Saloon & Eatery, 712 Washington Av SE (temporary expansion of premises with outdoor entertainment April 29, 2006, 3:00 p.m. to 10:00 p.m. in parking lot)

On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2006

K & K Hospitality LLC, dba Erte, 1304 University Av NE (new shareholder)

On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2007

It's Greek to Me Inc, dba It's Greek to Me, 626 W Lake St

Rudolph's Bar B Que Inc, dba Rudolphs Bar B Que, 1933 Lyndale Av S

Little Wagon Co Inc, dba Little Wagon, 420 S 4th St (new manager)

On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2006

MR Susie Inc, dba Barbette, 1600 W Lake St (new owner from Cafe Wyrd Inc)

On-Sale Liquor Class C-2 with Sunday Sales, to expire April 1, 2007

Brinda-Heilicher Riverfront Inc, dba Vics Restaurant, 201 Main St SE

Monte Carlo Restaurant Inc, dba Monte Carlo, 219 3rd Av N (change in ownership from John Rimarcik)

Chiapas Enterprises Inc, dba Pancho Villa Restaurant, 2539 Nicollet Av

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2007

Harrison Restaurant Holdings Inc, dba Sawatdee Bar & Cafe, 118 4th St N

Dan Kelly's Corporation, dba Dan Kelly's Bar & Grill, 212 S 7th St

Brinda Investments Inc, dba Tugg's on the River, 219 Main St SE

Nami LLC, dba Nami Restaurant, 251 1st Av N

Sawatdee Inc, dba Sawatdee Restaurant, 607 Washington Av SE

Somsap Enterprises, dba Tum Rup Thai, 1221 W Lake St

DCJ LLC, dba The Sample Room, 2124 Marshall St NE

Mannings Cafe Inc, dba Mannings Cafe, 2200 Como Av SE

Green Mill Enterprises Inc, dba Green Mill Too, 2626 Hennepin Av

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2006

Morton's of Chicago/Minneapolis Inc, dba Morton's of Chicago - The Steakhouse, 555 Nicollet Mall (new corporate officers)

Morton's of Chicago Inc, dba Morton's of Chicago, 555 Nicollet Mall (new shareholder/partner)

Morton's of Chicago, Minneapolis Inc, dba Morton's of Chicago, 555 Nicollet Mall (new shareholder/partner)

On-Sale Liquor Class E, to expire April 1, 2007

Bev's Inc, dba Bev's Wine Bar, 250 3rd Av N

Liquor Bottle Club, to expire April 1, 2007

Ames Lodge #106, dba Elk's Lounge, 1614 Plymouth Av N

Latvian House Inc, dba Latvian House, 2337 Central Av NE

Vincent L Giantvalley Post #234, dba American Legion Department of Minnesota, 3751 Minnehaha Av

Wold-Chamberlain Post #99, dba American Legion, 5600 34th Av S

On-Sale Wine Class A with Strong Beer, to expire April 1, 2006

B L B Inc, dba Bryant Lake Bowl, 810 W Lake St (internal transfer of shares)

On-Sale Wine Class A with Strong Beer, to expire April 1, 2007

Illusion Theater & School Inc, dba Illusion Theater, 528 Hennepin Av

C & H Inc, dba U Garden Restaurant, 2725 University Av SE

The Jungle Theater, dba Jungle Theater, 2951 Lyndale Av S

On-Sale Wine Class C-1 with Strong Beer, to expire April 1, 2006

Unidos Inc, dba Latin Brothers, 2104 W Broadway (new business)

On-Sale Wine Class C-1 with Strong Beer, to expire April 1, 2007

G & D Foods Inc, dba Kafe 421, 421 14th Av SE

Society Void Inc, dba Duplex, 2516 Hennepin Av

On-Sale Wine Class D with Strong Beer, to expire April 1, 2007

Marias Cafe Inc, dba Marias Cafe, 1113 E Franklin Av

France 44 Foods Inc, dba France 44 Deli & Market, 4351 France Av S

On-Sale Wine Class E with Strong Beer, to expire April 1, 2006

AIIM Restaurant Inc, dba The Art Institutes International Minnesota, 15 S 9th St (new corporate officer)

AIIM Restaurant Inc, dba The Art Institute International Minnesota, 15 S 9th St

T J of Minneapolis Inc, dba Yummy Chang, 2450 Nicollet Av (change in ownership)

Food Services Inc, dba 5-8 Club, 5800 Cedar Av S (new corporate officer)

On-Sale Wine Class E with Strong Beer, to expire April 1, 2007

Tumdee LLC, dba Ba Gu Restaurant, 4741 Chicago Av (new business)

Crema Cafe Ltd, dba Crema Cafe, 3403 Lyndale Av S

Cafe Brenda Company, dba Cafe Brenda, 300 1st Av N

Vescio's Inc, dba Vescio's Italian Cafe, 406 14th Av SE

Espresso Monkeys Inc, dba Acadia Cafe, 1931 Nicollet Av
Pierre's Bistro Inc, dba Pierre's Bistro, 2221 W 50th St
French Meadow Bakery Inc, dba French Meadow Bakery and Cafe, 2610 Lyndale Av S
Cafe Twenty Eight LLC, dba Cafe Twenty Eight, 2724 E 43rd St
Pop! Restaurant Inc, dba Pop! a Neighborhood Restaurant, 2859 Johnson St NE
Nguyen-Vu Family Corp Inc, dba Saigon Uptown Restaurant, 3035 Lyndale Av S
Lotus Restaurant Inc, dba Lotus Restaurant Uptown, 3037 Hennepin Av
Civitali Restaurant Corp, dba Punch Neapolitan Pizza, 3226 W Lake St
Ras Brothers Corporation, dba Lake Street Garage, 3508 E Lake St
Niki Mu Inc, dba Victors 1959 Cafe, 3756 Grand Av S
Minnehaha Falls Corporation, dba Pearson's Edina Restaurant, 3808 W 50th St
Clean Plate LLC, dba Corner Table, 4257 Nicollet Av
Great Wall Incorporated, dba Great Wall Chinese Restaurant, 4515 France Av S
Food Forward Inc, dba Cave Vin, 5555 Xerxes Av S

On-Sale Wine Class E, to expire April 1, 2007

MDCA, dba Ecopolitan, 2409 Lyndale Av S

On-Sale Beer Bottle Club, to expire April 1, 2007

Vincent L Giantvalley Post #234, dba American Legion, 3751 Minnehaha Av

Wold-Chamberlain American Legion, dba Post #99, 5600 34th Av S

Temporary On-Sale Beer

Church of the Annunciation, 509 W 54th St (Silent auction 2006 school fundraiser, May 6, 2006, 5:30 p.m. to Midnight at 525 W 54th St).

Adopted 3/31/06.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 3/31/06.

Resolution 2006R-150, granting applications for Business Licenses, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-150

By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of March 31, 2006 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 271069):

Dry Cleaning & Laundry Pickup Station; All Night Special Food; Confectionery; Grocery; Food Manufacturer; Milk & Grocery Delivery Vehicle; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cart Food Vendor; Soft Drink; Vending Machine; Heating, Air Conditioning & Ventilating Class A; Heating, Air Conditioning & Ventilating Class B; Liquid Waste Hauler; Motor Vehicle Repair Garage; Pawnbroker Class A; Plumber; Rental Halls; Residential Specialty Contractor; Swimming Pool - Public; Secondhand Goods Class B; Antique Dealer Class B; Sign Hanger; Solicitor - Individual; Taxicab Neighborhood Rideshare; Taxicab Vehicle; Taxicab Vehicle - Non-Transferable; Theater Zone I; Tobacco Dealer; Tree Servicing; and Wrecker of Buildings Class B.

Adopted 3/31/06.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.
Adopted 3/31/06.

Resolution 2006R-151, granting applications for Gambling Licenses, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-151
By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

Gambling Lawful Exempt

Goldbrick Club, dba Goldbrick Club, 1828 4th St NE (Raffle April 9, 2006 at Minneapolis Police Federation Hall, 1811 University Av)

Church of Our Lady of Peace, dba Church of Our Lady of Peace, 5426 12th Av S (Raffle April 22, 2006 at Our Lady of Peace School, 5435 11th Av S)

Hope for the City, dba Hope for the City, 7807 Creekridge Cir, Edina (Raffle October 6, 2006 at Convention Center).

Adopted 3/31/06.

PS&RS - Your Committee, having under consideration the Restaurant License held by Boimah A Richards, dba The Recreation Center, 4326 Lyndale Av N, and a new application for a Place of Entertainment License, and having held a license hearing to determine whether the licensee violated the Minneapolis Code of Ordinances by failing to renew its business license while continuing to operate; by holding entertainment events without first obtaining a license; and by operating as a rental hall without first obtaining a license, now recommends that the renewal of the Restaurant license and the new application for a Place of Entertainment License both be denied, in accordance with the Findings of Fact on file in the Office of the City Clerk, which are hereby made a part of this report by reference.

Adopted 3/31/06.

PS&RS - Your Committee, having under consideration the Grocery and Tobacco Dealer Licenses held by Uncle Bills Market Inc, dba Uncle Bills Market, 2426-28 Plymouth Av N, and having received a recommendation from the Licenses & Consumer Services Division that the City Council revoke said licenses and the licensee having requested a contested administrative hearing, now recommends that the matter be referred to the Office of Administrative Hearings in order for a hearing to be held before an Administrative Law Judge.

Adopted 3/31/06.

PS&RS - Your Committee, having under consideration the Grocery, Off-Sale Beer and Tobacco Dealer Licenses held by Dens-Light Inc, dba Big Stop, 1800 26th Av N, and having held a license hearing to determine whether the licensee has complied with site plan review standards and has created a nuisance condition at the property, now recommends that the Grocery, Off-Sale Beer and Tobacco Dealer Licenses be revoked.

Adopted 3/31/06.

PS&RS - Your Committee, having under consideration the application of Imad Alizairij, dba Al's Stop Market, 1800 26th Av N, for Grocery and Food Manufacturer Licenses (new proprietor) to expire April 1, 2006, subject to conditions, and having held a license hearing thereon, now recommends that said application for Grocery and Food Manufacturer Licenses be denied.

Adopted 3/31/06.

PS&RS - Your Committee, having under consideration the application of Judy A Tolliver, dba Time Warner Cable, 9705 Data Park, Minnetonka, for a Solicitor - Individual License to expire June 1, 2006, now recommends that said License application be denied.

Samuels moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote 3/31/06.

PS&RS - Your Committee, having under consideration the application of Petra Valet LLC, dba Petra Valet, 3003 27th Av S, for a Valet Parking License to expire April 1, 2006, now recommends that said License application be denied.

Adopted 3/31/06.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee Addendum recommendations relating to the Off-Sale Liquor License held by Witt's Liquor, 19 S 7th St.

Adopted 3/31/06.

Resolution 2006R-152, approving Technical Advisory Committee Addendum recommendations relating to the Off-Sale Liquor License held by Witt's Liquor, 19 S 7th St, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-152

By Samuels

Approving Technical Advisory Committee Addendum recommendations relating to the Off-Sale Liquor License held by Witt's Liquor, 19 S 7th St.

Whereas, on January 13, 2006 the City Council approved Technical Advisory Committee (TAC) recommendations relating to the operation of Brothers Greer Inc, dba Witt's Liquor located at 19 S 7th St; and

Whereas, at the request of Witt's Liquor, the Technical Advisory Committee was reconvened on March 6, 2006 for the purpose of evaluating the status of the TAC agreement; and

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That based upon the information received at the TAC hearing and the mutual understanding of all parties thereto, the recommendations adopted on January 13, 2006 are hereby amended as follows, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk and which are hereby made a part of this resolution by reference:

a. Witt's Liquor will no longer be required to obtain identification from every customer who purchases alcohol. However, it is strongly suggested that Witt's Liquor require all customers who purchase alcohol to produce identification as listed in Minnesota Statute Section 340A.503, Subdivision 6. Witt's Liquor has full knowledge of the consequences regarding any future incidents involving sale of alcohol to minors and understands that such incidents could lead to a revocation of their Off-Sale Liquor License. Witt's Liquor agrees to take any necessary steps to assure persons under the age of 21 are properly identified when alcohol purchases are attempted and further agrees to deny said sales.

b. Use of electronic identification card readers will be optional, but is strongly recommended when an appropriate form of identification is presented.

c. Witt's Liquor will no longer be required to gather and store identification card data, electronic or hand written, as previously required.

Adopted 3/31/06.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the Off-Sale Beer License held by B-Line Market, 1901 Fillmore St NE.

Adopted 3/31/06.

Resolution 2006R-153, approving Technical Advisory Committee recommendations relating to the Off-Sale Beer License held by B-Line Market, 1901 Fillmore St NE, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-153

By Samuels

Approving Technical Advisory Committee recommendations relating to the Off-Sale Beer License held by B-Line Market, 1901 Fillmore St NE.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on February 17, 2006 with the licensee to discuss violations of law relating to the operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that conclude that the licensee violated the Minneapolis Code of Ordinances and the City's established compliance check policy and procedures by selling alcohol on two separate occasions to persons under the age of 21 within a period of less than 23 months;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Off-Sale Beer License held by B-Line Market shall be subject to adverse license action up to and including revocation, with the commencement of such adverse license action stayed through and including February 11, 2007, subject to full compliance with the following conditions, as more fully set forth in said Findings on file in the Office of the City Clerk which are hereby made a part of this resolution by reference:

a. It is strongly suggested that B-Line Market require all customers who purchase alcohol to produce identification as listed in Minnesota Statute Section 340A.503, Subdivision 6. B-Line Market has full knowledge of the consequences regarding any future incidents involving sale of alcohol to minors and understands that such incidents could lead to a revocation of its Off-Sale Beer License. B-Line Market agrees to take any necessary steps to assure persons under the age of 21 are properly identified when alcohol purchases are made.

b. B-Line Market will pay the outstanding \$1,000 administrative fine from the February 11, 2006 youth alcohol compliance failure by March 17, 2006.

c. B-Line Market will pay \$2,000 in cost recovery to the City, to be made in two payments of \$1,000 each. The first payment of \$1,000 will be due on Friday April 14, 2006. The second payment of \$1,000 will be due on Monday May 1, 2006.

d. The Off-Sale Beer License of B-Line Market is suspended for a period of 30 days. Imposition of 23 days of suspension will be stayed and 7 days will be imposed. The 7 days of suspension will be consecutive days. These days have been chosen by B-Line Market and include March 20 through March 26, 2006. B-Line Market can resume beer sales on March 27, 2006. Should the licensee violate any provision of this Agreement while it is in effect, it shall be subject to additional adverse license action, including but not limited to the imposition of the remaining stayed license suspension period

as well as the potential commencement of license revocation proceedings. Any sales of alcohol completed by the licensee occurring during a prescribed suspension period hereunder shall be considered unlicensed sales of alcohol in violation of state statute and Minneapolis ordinance.

e. All B-Line Market employees will attend professionally-presented alcohol server training. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services. All managers and owners who participate in the day-to-day operations of the business will attend a retail alcohol management course. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services and completed within 30 days of the effective date of the TAC Agreement. Proof of the completed training shall be presented to the Police License Investigation Division or City of Minneapolis Office of Licenses and Consumer Services within 30 days of the date of the effective date of this TAC Agreement. All employees, managers or owners hired or brought into the business after this initial training must attend an approved training class within thirty days of hire or approval as business owner.

f. A properly trained manager or owner must be on-site during business hours at all times. In the event that the owner or properly trained manager is not present, all beer shall be secured in a manner so that no sale of beer can be made.

g. B-Line Market will comply with Section 259.125 of the Minneapolis Code of Ordinances which mandates B-Line Market inspect for and dispose of any litter and debris within 100 feet of its lot line.

h. This TAC Agreement does not alter or preclude any previously imposed license conditions that may exist.

i. The licensee is aware that it will be subject to additional compliance checks during the term of this Agreement and further agrees that these compliance checks can and will be conducted by both minor-aged decoys as well as decoys of legal age. It shall be a violation of this TAC Agreement for the licensee to sell alcohol to a legal-age decoy if that decoy is not required to present age identification to complete the sale of alcohol regardless of the actual age of the decoy. As is the policy of the City of Minneapolis, the decoys will at all times respond truthfully to any questions asked of them by employees or sales clerks of the licensee and, if asked, will present their actual duly-issued age identification.

j. This TAC Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation, for subsequent violations of this Agreement, or for subsequent violations or subsequently-discovered violations of any federal, state or local laws, ordinances, or regulations.

k. This TAC Agreement shall remain in effect through and including February 11, 2007. It is understood between the parties that this TAC Agreement shall bind only the present licensee and will not bind any subsequent, unrelated person or persons should the business be sold and a new license approved.

Adopted 3/31/06.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Al Vento, 5001 34th Av S.

Adopted 3/31/06.

Resolution 2006R-154, approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Al Vento, 5001 34th Av S, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-154

By Samuels

Approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Al Vento, 5001 34th Av S.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on March 7, 2006 with the licensee to discuss violations of law relating to the operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that conclude that the licensee violated the Minneapolis Code of Ordinances and the City's established compliance check policy and procedures by providing alcohol on two separate occasions to persons under the age of 21 within a period of less than 13 months;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the On-Sale Wine with Strong Beer License held by Al Vento shall be subject to adverse license action up to and including revocation, with the commencement of such adverse license action stayed through and including February 17, 2007, subject to full compliance with the following conditions, as more fully set forth in said Findings on file in the Office of the City Clerk which are hereby made a part of this resolution by reference:

a. It is strongly suggested that Al Vento require all customers who purchase alcohol to produce identification as listed in Minnesota Statute Section 340A.503, Subdivision 6. Al Vento has full knowledge of the consequences regarding any future incidents involving sale of alcohol to minors and understands that such incidents could lead to a revocation of their On-Sale Wine with Strong Beer License. Al Vento agrees to take any necessary steps to assure persons under the age of 21 are properly identified when alcohol purchases are made.

b. Al Vento will pay \$2,500 in cost recovery to the City by March 22, 2006.

c. The On-Sale Wine with Strong Beer License of Al Vento is suspended for a period of 30 days. Imposition of 27 days of suspension will be stayed and 3 days will be imposed. The date of this suspension has been chosen by Al Vento and will include April 23 through 25, 2006. Should the licensee violate any provision of this Agreement while it is in effect it shall be subject to additional adverse license action, including but not limited to the imposition of the stayed license suspension period as well as the potential commencement of license revocation proceedings.

d. All Al Vento employees will attend professionally-presented alcohol server training. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services. All managers and owners who participate in the day-to-day operations of the business will attend a retail alcohol management course. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services and completed within 30 days of the date of the effective date of this TAC Agreement. All employees, managers or owners hired or brought into the business after this initial training must attend an approved training class within thirty days of hire or approval as business owner.

e. A properly trained manager or owner must be on-site during business hours at all times.

f. This TAC Agreement does not alter or preclude any previously imposed license conditions that may exist.

g. The licensee is aware that it will be subject to additional compliance checks during the term of this TAC Agreement. As is the policy of the City of Minneapolis, the decoys will at all times respond truthfully to any questions asked of them by employees or sales clerks of the licensee and, if asked, will present their actual duly-issued age identification.

h. This TAC Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation, for subsequent violations of this Agreement, or for subsequent violations or subsequently-discovered violations of any federal, state or local laws, ordinances, or regulations.

i. This TAC Agreement shall remain in effect through and including February 17, 2007. It is understood between the parties that this TAC Agreement shall bind only the present licensee and will not bind any subsequent, unrelated person or persons should the business be sold and a new license approved.

Adopted 3/31/06.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class E with Sunday Sales License held by Champions Saloon and Eatery, 105 W Lake St.

Adopted 3/31/06.

Resolution 2006R-155, approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class E with Sunday Sales License held by Champions Saloon and Eatery, 105 W Lake St, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-155

By Samuels

Approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class E with Sunday Sales License held by Champions Saloon and Eatery, 105 W Lake St.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on February 14, 2006 with the licensee to discuss violations of law relating to the operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that the City Council could reasonably conclude that the licensee was

- in violation of their business license and not in compliance with Section 259.250, Business License Management Responsibilities, and Section 363.450, Compliance with State Law, of the Minneapolis Code of Ordinances;

- that an agent or employees, because of their proximity to the area of many narcotics transactions, were aware or should have been aware of the illegal activity and did not take measures to stop or prevent the illegal activity;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the On-Sale Liquor Class E with Sunday Sales License held by Champions Saloon and Eatery be suspended for a period of 30 days, and that 29 days of the suspension be stayed through and including February 14, 2007, subject to the following conditions, as more fully set forth in said Findings on file in the Office of the City Clerk which are hereby made a part of this resolution by reference:

- a. That one day of the executed suspension be served over the period of one Saturday night no later than May 28th, 2006. The date of this suspension shall be April 15th, 2006.

- b. That Champions Saloon shall pay a cost-recovery and civil sanction of \$15,000.00, of which \$10,000 is due to the Minneapolis Finance Department and can be paid in five monthly installments of \$2,000.00 each, in accordance with the payment schedule set forth in the TAC Agreement. If for any reason Champions Saloon's owner(s) or management faces an unforeseen event that they feel will affect any installment deadline, they must contact either the Commander of the Police Department's License Division or the Assistant Director of Licenses & Consumer Services to discuss the possibility of delaying an installment period.

- c. The remaining \$5,000.00 will be spent to upgrade current software to permit the storage of video imaging for a minimum of 30 days, and if there are additional funds remaining, they will be used to add additional surveillance cameras or to upgrade current surveillance equipment. Champions will retain all receipts and billings to reflect that the funds were spent in a manner specified by this document.

d. That Champions Saloon hires and provides adequate security at all hours to hinder the sale of narcotics and to deter other illegal activity, both inside and outside of the premises. This security shall be specifically targeted at evening, nighttime and weekend hours of operation and shall be present at such a level as to provide adequate, proactive and responsive security coverage of all areas of the business premises.

e. That Champions Saloon retains any recordings from their security cameras for a minimum of 30 days, and that the recordings be promptly (within one working day of the request, either verbal or written) made available to the 5th Precinct and/or the Police License Investigation Division upon demand.

f. That Champions Saloon and the Police Department 5th Precinct cooperate fully in the exchange of information related to criminal activity surrounding the establishment. This may take the form of e-mail alerts, meetings or any other mutually-beneficial exchange of relevant information and security data.

g. That Champions Saloon operates in compliance with all licensing and liquor code requirements.

h. This TAC Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation, subsequent violations of this agreement, or any federal, state, or local ordinances or regulations.

i. This TAC Agreement shall remain in effect through and including February 20, 2007. It is understood between the parties that this TAC Agreement shall bind only the present licensee and will not bind subsequent, unrelated person or persons should the business be sold and a new license approved.

Adopted 3/31/06.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the On-Sale Liquor License held by Ballentine VFW Post 246, 2916 Lyndale Av S.

Adopted 3/31/06.

Resolution 2006R-156, approving Technical Advisory Committee recommendations relating to the On-Sale Liquor License held by Ballentine VFW Post 249, 2916 Lyndale Av S, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-156

By Samuels

Approving Technical Advisory Committee recommendations relating to the On-Sale Liquor License held by Ballentine VFW Post 246, 2916 Lyndale Av S.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on March 1, 2006 with the licensee to discuss violations of law relating to the operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that conclude that the licensee violated the Minneapolis Code of Ordinances and the City's established compliance check policy and procedures by its employees providing alcohol on two separate occasions to persons under the age of 21 within a period of less than one year;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the On-Sale Liquor License held by Ballentine VFW Post 246 shall be subject to adverse license action up to and including revocation, with the commencement of such adverse license action stayed through and including February 24, 2007, subject to full compliance with the following conditions, as more fully set forth in said Findings on file in the Office of the City Clerk which are hereby made a part of this resolution by reference:

a. It is strongly suggested that Ballentine VFW Post 246 require all customers who purchase alcohol to produce identification as listed in Minnesota Statute Section 340A.503, Subdivision 6. Ballentine VFW Post 246 has full knowledge of the consequences regarding any future incidents involving the sale of alcohol to minors and understands that such incidents could lead to a revocation of its On-Sale Liquor License. Ballentine VFW Post 246 agrees to take any necessary steps to assure persons under the age of 21 are properly identified when alcohol purchases are made.

b. Ballentine VFW Post 246 will pay \$3,000 in cost recovery to the City by March 15, 2006.

c. The On-Sale Liquor License of Ballentine VFW Post 246 is suspended for a period of 30 days. Imposition of 27 days of the suspension will be stayed and 3 days will be imposed. The dates of this suspension have been chosen by Ballentine VFW Post 246 and will include March 26 through 28, 2006. Should the licensee violate any provision of this TAC Agreement while it is in effect, it shall be subject to additional adverse license action, including but not limited to the imposition of the stayed license suspension period as well as the potential commencement of license revocation proceedings.

d. All Ballentine VFW Post 246 employees that serve alcohol will attend professionally-presented alcohol server training. This training shall occur on a yearly basis. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services. All managers and commanders who participate in the day-to-day operations of the business will attend a retail alcohol management course. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services and must be completed within 30 days of the date of the effective date of this TAC Agreement. All employees, managers or commanders hired or brought into the business after this initial training must attend an approved training class within thirty days of hire or approval as commander.

e. A properly trained manager or commander must be on-site during business hours at all times.

f. This TAC Agreement is not meant to affect rental of the facilities for receptions and other parties that are legally allowed. However, measures affecting the service of underage parties with alcoholic beverages or beer will be complied with.

g. This TAC Agreement does not alter or preclude any previously imposed license conditions that may exist.

h. The licensee is aware that it will be subject to additional compliance checks during the term of this Agreement. As is the policy of the City of Minneapolis, the decoys will at all times respond truthfully to any questions asked of them by employees or sales clerks of the licensee and, if asked, will present their actual duly-issued age identification.

i. This TAC Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation, for subsequent violations of this Agreement, or for subsequent violations or subsequently-discovered violations of any federal, state or local laws, ordinances, or regulations.

j. This TAC Agreement shall remain in effect through and including February 24, 2007. It is understood between the parties that this Agreement shall bind only the present licensee and will not bind any subsequent, unrelated person or persons should the business be sold and a new license approved.

Adopted 3/31/06.

PS&RS - Your Committee recommends passage of the accompanying resolution approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Taco Blas, 3746 Nicollet Av.

Adopted 3/31/06.

Resolution 2006R-157, approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Taco Blas, 3746 Nicollet Av, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-157

By Samuels

Approving Technical Advisory Committee recommendations relating to the On-Sale Wine with Strong Beer License held by Taco Blas, 3746 Nicollet Av.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on March 2, 2006 with the licensee to discuss violations of law relating to the operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that conclude that the licensee violated the Minneapolis Code of Ordinances and the City's established compliance check policy and procedures by its employees providing alcohol on three separate occasions to persons under the age of 21 within a period of less than eleven months;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the On-Sale Wine with Strong Beer License held by Taco Blas shall be subject to adverse license action up to and including revocation, with the commencement of such adverse license action stayed through and including May 5, 2007, subject to full compliance with the following conditions, as more fully set forth in said Findings on file in the Office of the City Clerk which are hereby made a part of this resolution by reference:

a. It is strongly suggested that Taco Blas require all customers who purchase alcohol to produce identification as listed in Minnesota Statute Section 340A.503, Subdivision 6. Taco Blas has full knowledge of the consequences regarding any future incidents involving sale of alcohol to minors and understands that such incidents could lead to a revocation of their On-Sale Wine with Strong Beer License. Taco Blas agrees to take any necessary steps to assure persons under the age of 21 are properly identified when alcohol purchases are made.

b. Taco Blas will pay a \$2,000 administrative fine for a third offense of sale of alcohol to a minor as detailed in a City Council resolution.

c. Taco Blas will pay \$3,000 in cost recovery to the City. Payment of the above referenced fine and cost recovery fee will be made over a period of 10 months, in accordance with the payment schedule set forth in said TAC Agreement.

d. The On-Sale Wine with Strong Beer License of Taco Blas is suspended for a period of 30 days. Imposition of 30 days of the suspension will be stayed and Taco Blas agrees to voluntarily suspend alcohol sales for a period of 10 days. The dates of this voluntarily suspension have been chosen by Taco Blas and will include March 6 through 14, 2006. Taco Blas will be able to resume alcohol sales on March 15, 2006. Any sale of alcohol during this time period will constitute a violation of this agreement. Should the licensee violate any provision of this TAC Agreement while it is in effect, it shall be subject to additional adverse license action, including but not limited to the imposition of the stayed license suspension period as well as the potential commencement of license revocation proceedings.

e. All Taco Blas employees will attend professionally-presented alcohol server training. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services. All managers and owners who participate in the day-to-day operations of the business will attend a retail alcohol management course. This training program must be approved by the City of Minneapolis Office of Licenses and Consumer Services and must be completed within 30 days of the date of the effective date of this TAC Agreement. Proof of the completed training shall be presented to the Police License Investigation Division or City of Minneapolis Office of Licenses and Consumer Services within 35 days of the date of the effective date of this TAC Agreement. All employees, managers or owners hired or brought into the business after this initial training must attend an approved training class within thirty days of hire or approval as business owner.

f. A properly trained manager or owner must be on-site during business hours at all times.

g. This TAC Agreement does not alter or preclude any previously imposed license conditions that may exist.

h. The licensee is aware that it will be subject to additional compliance checks during the term of this TAC Agreement. As is the policy of the City of Minneapolis, the decoys will at all times respond truthfully to any questions asked of them by employees or sales clerks of the licensee and, if asked, will present their actual duly-issued age identification.

i. This TAC Agreement shall not preclude any other adverse license action, including but not limited to suspension or revocation, for subsequent violations of this TAC Agreement, or for subsequent violations or subsequently-discovered violations of any federal, state or local laws, ordinances, or regulations.

j. This TAC Agreement shall remain in effect through and including May 5, 2007. It is understood between the parties that this TAC Agreement shall bind only the present licensee and will not bind any subsequent, unrelated person or persons should the business be sold and a new license approved.

Adopted 3/31/06.

PS&RS - Your Committee, having under consideration the property located at 2535 16th Avenue South (PID #35-029-24-14-0106) which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having received a recommendation by staff to demolish said property, now recommends that the matter be sent forward without recommendation.

Schiff moved that the report be amended by deleting the language "that the matter be sent forward without recommendation" and inserting in lieu thereof "that the proper City officers be authorized to demolish said property". Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 3/31/06.

PS&RS - Your Committee, having under consideration the property located at 2655 15th Avenue South (PID #35-029-24-42-0065) which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the property owner be authorized to rehabilitate the structure and all or any accessory buildings, subject to the following terms as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and are hereby made a part of this report by reference:

a. that a letter of credit be posted within 30 days.

b. that rehabilitation be completed within 90 days of posting the letter of credit.

Further, that Community Planning & Economic Development staff are directed to report back to the Public Safety & Regulatory Services Committee with a plan for creating project boundary areas in Minneapolis to address the concentration of boarded and vacant buildings and potential use of eminent domain to deal with those properties.

Gordon moved to divide the report so as to consider separately that portion relating to the staff direction. Seconded.

Adopted upon a voice vote 3/31/06.

PS&RS - Your Committee, having under consideration the property located at 2655 15th Avenue South (PID #35-029-24-42-0065) which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the property owner be authorized to rehabilitate the structure and all or any accessory buildings, subject to the following terms as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and are hereby made a part of this report by reference:

a. that a letter of credit be posted within 30 days.

b. that rehabilitation be completed within 90 days of posting the letter of credit.

Adopted 3/31/06.

PS&RS - Your Committee, having under consideration the subject matter of Chapter 249 properties in the City of Minneapolis, now recommends that Community Planning & Economic Development staff are directed to report back to the Public Safety & Regulatory Services Committee with a plan for creating project boundary areas in Minneapolis to address the concentration of boarded and vacant buildings and potential use of eminent domain to deal with those properties.

Samuels moved that the report be referred to the Community Development Committee. Seconded.
Adopted upon a voice vote 3/31/06.

PS&RS - Your Committee, having under consideration the property located at 2447 16th Avenue South which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to demolish said property legally described as the South 25 feet of Lot 13, Block 3, Gilpatricks Addition to Minneapolis (PID #35-029-24-14-0044), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and are hereby made a part of this report by reference.

Adopted 3/31/06.

PS&RS - Your Committee, having under consideration the property located at 115 5th St NE (PID #23-029-24-12-0039) which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to raze said property legally described as Lot 3, Block 16, Mill Cos Addition to St. Anthony Falls, in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Futher, that said demolition be stayed until the May 3rd, 2006 Public Safety & Regulatory Services Committee Meeting, subject to the following conditions being met by the property owner:

- a. secure a design professional.
- b. provide a structural analysis of the sprinkler system.
- c. provide a structural analysis of the elevator and occupancy.
- d. provide updated design plans to include a second means of egress.
- e. provide a detailed plan for rehabilitation.
- f. that the property owner notify and agree to meet with the neighborhood group.

Adopted 3/31/06.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept a donation of \$6,000 from the Minneapolis Police Reflief Association to be dedicated to the Police Honor Guard.

Adopted 3/31/06.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept a grant award of \$6,000 and execute an agreement with the Minnesota Department of Public Safety, State Patrol Division, to conduct a Speed Limit Enforcement Program in conjunction with the State Patrol during the summer. Said grant will reimburse overtime costs to police officers for increased enforcement targeting speed violations and other enforcement to reduce accidents. Further, passage of the accompanying Resolution appropriating \$6,000 to the Police Department.

Adopted 3/31/06.

RESOLUTION 2006R-158
By Samuels and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-DT13) by \$6,000 and increasing the Revenue Source (030-400-DT13 - Source 3210) by \$6,000.

Adopted 3/31/06.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept up to \$7,680 in grant funds and execute an agreement with the Whittier Neighborhood to support increased law enforcement and crime prevention initiatives in the neighborhood. Further, passage of the accompanying Resolution appropriating \$7,680 to the Police Department.

Adopted 3/31/06.

RESOLUTION 2006R-159

By Samuels and Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Other Fund (060-400-B135) by \$7,680 and increasing the Revenue Source (060-400-B135 - Source 3720) by \$7,680.

Adopted 3/31/06.

PS&RS & W&M/Budget - Your Committee, having under consideration the 2004 Urban Areas Security Initiative Grant Program, now recommends that the proper City officers be authorized to execute a no-cost contract extension with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to allow additional time to expend the grant funds to purchase equipment for the Police Department Bomb/Arson Unit for City and Statewide bomb disposal response.

Adopted 3/31/06.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee, having under consideration the sale of City-owned property located at 1315-1319 Penn Av N (said parcel consisting of Lot 1, Block 1, Hennepin County Plat No. 3), and having held a public hearing thereon, now recommends:

a) That said property be sold to NorthPoint Health & Wellness Center, Inc. (NorthPoint) for \$1.00 and other consideration;

b) That the proper City officers negotiate a purchase agreement with NorthPoint and execute any other necessary documents to complete the sale transaction; and

c) That the proper City officers enter into a reasonable subordination agreement of the seller's interest in the property to the interests of a mortgage holder, to the extent that the secured loan is for NorthPoint social services.

Adopted 3/31/06.

T&PW - Your Committee, having under consideration a Request for Proposals (RFP) for Solid Waste and Recycling Services for one-half of the City's dwelling units, now recommends that said RFP be **sent forward without recommendation**. (Petn. No. 271073)

Lilligren moved that the report be amended by deleting the language "sent forward without recommendation" and inserting in lieu thereof "approved, with the following amendment to the RFP: that the SUBP goals for this project be set at 13.6% WBE and 10% MBE." Seconded.

The report, as amended, was adopted 3/31/06. Yeas, 11; Nays, 1 as follows:

Yeas - Ostrow, Schiff, Lilligren, Glidden, Remington, Benson, Goodman, Hodges, Samuels
Gordon, Hofstede.

Nays - Johnson.

Declining to vote - Colvin Roy.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the 27th Av S Reconstruction Project, No. 6604, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the City Engineer to proceed and do the work and adopting the special assessments in the total amount of \$901,284.68; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$901,280.

Your Committee further recommends that the bump-out located on the southwest corner of 28th Street and 27th Avenue South be removed from the project.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

Resolution 2006R-160, ordering the work to proceed and adopting the special assessments for the 27th Av S Reconstruction Project, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-160
By Colvin Roy and Ostrow

27th AVENUE SOUTH RECONSTRUCTION PROJECT,
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6604

Ordering the work to proceed and adopting the special assessments for the 27th Av S Reconstruction Project.

Whereas, a public hearing was held on March 21, 2006, in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2006R-030, passed January 27, 2006 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2006R-030, passed January 27, 2006.

Be It Further Resolved that the proposed special assessments in the total amount of \$901,284.68 for the 27th Av S Reconstruction Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that for the 27th Av S Reconstruction Project, the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2007 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the

assessment bonds are sold for, with collection of the special assessments on the 2007 real estate tax statements.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Resolution 2006R-161, requesting the Board of Estimate and Taxation to issue and sell assessment bonds in the amount of \$901,280 for the purpose of paying the assessed cost of street improvements in the 27th Av S Reconstruction Project, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-161
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$901,280 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 27th Av S Reconstruction Project, Special Improvement of Existing Street No 6604, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

T&PW & W&M/Budget - Your Committee, having under consideration the 27th Av S Reconstruction Project, No. 6604, and having held a public hearing thereon, now recommends passage of the accompanying resolution ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the paving project.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

Resolution 2006R-162, ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way in conflict with the 27th Av S Reconstruction Project, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-162
By Colvin Roy and Ostrow

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction project in the 27th Av S area.

Whereas, the City of Minneapolis has scheduled the reconstruction improvements during 2006 in the 27th Av S area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction; and

Whereas, a public hearing was held on March 21, 2006 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances

to consider the proposed abandonment and removal of the above-mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along 27th Av S (both sides) from 9th St S to 29th St E and 29th St E (both sides) from 26th Av S to 27th Av S.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to hire Ms. Anna Flintoft to the position of Transportation Planner at Step 6.5 of the salary scale.

Adopted 3/31/06.

T&PW & W&M/Budget - Your Committee, having under consideration the East River Parkway Bridge over Bridal Veil Falls and Approach Roadway Reconstruction Project, now recommends passage of the accompanying resolutions:

a) Decreasing the appropriation for State Bridge Bonds as a revenue source for the project from \$826,000 to \$519,472.50, due to a decrease in items eligible for State Bridge Bonds;

b) Requesting the City of Minneapolis to fund the revised cost estimate which is in excess of the eligible State Bridge Bonds for the project;

c) Abandoning Project PV002 (2005 Paving Construction, Oil/Dirt Street Paving Program) and decreasing the appropriation for Project PV002 by \$705,000, (\$101,000 in Special Assessments and \$604,000 in Net Debt Bonds);

d) Requesting concurrence by the Board of Estimate and Taxation of the re-designation of Net Debt Bonds in the amount of \$604,000 by substituting the East River Parkway Bridge Project for the 2005 Paving Construction, Oil/Dirt Street Paving Program; and

e) Increasing the appropriation for the East River Parkway Bridge Project by \$604,000 utilizing the funds from the abandonment of the 2005 Paving Construction, Oil/Dirt Street Paving Program.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

RESOLUTION 2006R-163
By Colvin Roy and Ostrow

Amending the 2006 Capital Resolution, 2005R-658, passed December 19, 2005.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

Decreasing the appropriation for State Bridge Bonds as a revenue source for the East River Parkway Bridge Project (4100-937-9386-3225 Project BR102) from \$826,000 to \$519,472.50, due to a decrease in items eligible for State Bridge Bond Funds.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

RESOLUTION 2006R-164
By Colvin Roy and Ostrow

Requesting the City of Minneapolis to fund the costs in excess of the eligible State Bridge Bonds for the East River Parkway Bridge Project (BR102).

Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis fund the East River Parkway Bridge Project in excess of the \$519,472.50 received from State Bridge Bonds.

Be It Further Resolved that any excess authorized State Bridge Bonds be returned to the State.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

RESOLUTION 2006R-165
By Colvin Roy and Ostrow

Abandoning Project PV002 (2005 Paving Construction, Oil/Dirt Street Paving Program) and amending Resolution 2005R-658, "Adopting the 2006-2010 Five Year Capital Program and fixing the maximum amounts for 2006 to be expended by the various funds under the jurisdiction of the City Council", passed December 19, 2005.

Resolved by The City Council of The City of Minneapolis:

That the 2005 Paving Construction, Oil/Dirt Street Paving Program (PV002) be formally abandoned.

Be It Further Resolved that the above-entitled resolution, as amended, be further amended by decreasing the appropriation in the PW-Paving Construction-Capital Agency in the Permanent Improvement Projects Fund (4100-937-9372-PV002) by \$705,000 (\$101,000 in Special Assessments and \$604,000 in Net Debt Bonds).

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

RESOLUTION 2006R-166
By Colvin Roy and Ostrow

Amending Resolution 2004R-583, "Requesting that the Board of Estimate and Taxation incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$21,247,000 for certain purposes other than the purchase of Public Utilities", passed December 13, 2004.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

Requesting concurrence by the Board of Estimate & Taxation with the recommendation of the Department of Public Works for the re-designation of Net Debt Bonds by:

a) Abandoning the 2005 Paving Construction, Oil/Dirt Street Paving Program (4100-937-9372-PV002) in the amount of \$604,000; and

b) Substituting the East River Parkway Bridge Project (4100-937-9386-BR102) in the amount of \$604,000.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

RESOLUTION 2006R-167
By Colvin Roy and Ostrow

Amending the 2006 Capital Improvement Appropriation Resolution, 2005R-658, passed December 19, 2005.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in PW-Bridge Construction Capital Agency in the Permanent Improvement Projects Fund (4100-937-

9386 Project BR102) by \$604,000 utilizing the net debt bond funds from the abandonment of the 2005 Paving Construction, Oil/Dirt Street Paving Program (4100-937-9372-PV002).

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution approving bids submitted to the Public Works Department, all in accordance with City specifications (Petr No. 271076).

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

Resolution 2006R-168, granting approval of the bids for: a) the East River Parkway Bridge and Approach Roadway Reconstruction; b) the rental of skid steer loaders, with operator; and c) delivery of ready mix concrete, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-168
By Colvin Roy and Ostrow

Granting approval of the bids for projects and/or services for the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the following be accepted and that the proper City officers be authorized to execute contracts for the projects and/or services, in accordance with City specifications, and contingent upon approval of the Civil Rights Department. (Petr No 271076)

a) OP #6562, Accept low bid of Edward Kraemer & Sons, Inc., in the amount of \$1,524,170.15, to furnish all labor, materials, equipment, permits, and incidentals necessary to accomplish the reconstruction of the East River Parkway Bridge and Approach Roadway Reconstruction;

b) OP #6570, Accept low bids of Robert Innes Jr., Scott Innes, and Hugstad Vaa Contracting, for a total estimated expenditure of \$149,700, to furnish the rental of skid steer loaders, with operator, for the Public Works Equipment Division, as needed through December 31, 2006; and

c) OP #6573, Accept low bid of Cemstone Products Company, for an estimated annual expenditure of \$1,400,000, to produce, furnish, and deliver ready mix concrete.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying Resolution authorizing the settlement of the legal matter, as recommended by the City Attorney.

Adopted 3/31/06.

Resolution 2006R-169, authorizing settlement of the legal claim of Alan Groesbeck, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-169

By Ostrow

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of Alan Groesbeck vs. Minneapolis Water Works, by payment of \$11,000 to Alan Groesbeck.

Be It Further Resolved that the proper City officers be authorized to execute any documents necessary to effectuate said settlements.

Adopted 3/31/06.

W&M/Budget - Your Committee recommends that the City Attorney be authorized to amend the "Master Agreement" with Jardine, Logan & O'Brien LLC law firm for the period of March 23, 2004 through March 23, 2007 with the cost of such agreement not to exceed \$900,000 for that period.

Adopted 3/31/06.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with Garrison Enterprises as the host server for the Digital Health Department application.

Your Committee further recommends passage of the accompanying Resolution appropriating \$139,900 Information & Technology Services Agency (\$114,900 for the cost of the system; and \$25,000 for annual maintenance plus 5% escalation in each subsequent year).

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

RESOLUTION 2006R-170

By Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Information & Technology Services Agency in the Intergovernmental Service Fund (6400-880-8870 880F5509) by \$139,900; and increasing the revenue source (6400-880-8870 - Source 3455) by \$139,900.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a non-standard \$50,000 contract with SAS Institute, Inc. to furnish its activity-based management application, support and maintenance for the Finance Department in 2006.

Your Committee further recommends passage of the accompanying Resolution increasing the appropriation for the Information & Technology Services Agency by \$50,000.

Adopted 3/31/06.

RESOLUTION 2006R-171

By Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Information & Technology Services Agency in the Intergovernmental Service Fund (6400-880-8870 880F4532) by \$50,000; and increasing the revenue source (6400-880-8870 - Source 3455) by \$50,000.

Adopted 3/31/06.

W&M/Budget - Your Committee recommends that the Department of City Clerk be authorized to grant (Step 7) to newly hired Council Office Associate, Ms. Barbara Anderson for Ward 13, effective upon date of hire. Funding to pay salary and benefits are within current department budget.

Adopted 3/31/06.

W&M/Budget - Your Committee, having under consideration the New Central Library Project, now recommends approval of Change Order No. 5 increasing Contract #C-19758 with Graham Penn-Co Construction, Inc. by \$91,846, for a new contract total of \$14,333,996.

Adopted 3/31/06.

Approved by Mayor Rybak 4/4/06.

Published 4/6/06.

W&M/Budget - Your Committee, having received proposals for the North Minneapolis Community Transformation Initiative, now recommends concurrence with the recommendation of the Empowerment Zone (EZ) Governance Board Executive Committee to accept the proposal submitted by Real Asset Capital, LLC Broadway Shopping Center Expansion in the amount of \$650,000 and that the proper City officers be authorized to execute contracts with said funding sub-recipient setting forth the terms and conditions of the agreement.

Adopted 3/31/06.

W&M/Budget - Your Committee, having received recommendations from the Finance Department regarding Capital Long-Range Improvement Committee (CLIC) Appointments, now recommends passage of the accompanying Resolution approving one Mayoral and two City Council appointments for the term of February 1, 2006 to January 31, 2007.

Adopted 3/31/06.

Resolution 2006R-172, approval of one Mayoral and two City Council appointments to the Capital Long-Range Improvement Committee (CLIC) members, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-172

By Ostrow

Approving one Mayoral and two City Council Appointments to the Capital Long-Range Improvements Committee (CLIC).

Resolved by The City Council of The City of Minneapolis:

Name	Appointed by	Council Ward #
Jason Stone	Mayor	11
Emily Serafy Cox	Council	2
Michael Vennewitz	Council	1

Adopted 3/31/06.

W&M/Budget – Your Committee, having under consideration the appointment of a City representative to the Minneapolis Police Relief Association (MPRA) and Minneapolis Firefighters Relief Association (MFRA), now recommends the appointment of LeaAnn M. Stagg to the boards for the remainder of the term ending December 31, 2006, replacing Heather Johnston as recommended by the City Finance Officer; and that the City will defend and indemnify Ms. Stagg in accordance with the City's adopted defense and indemnification policy.

Adopted 3/31/06.

W&M/Budget – Your Committee recommends acceptance of the Fourth Quarter 2005 list of donations made to the City of Minneapolis valued under \$1,000, as set forth in Petn No 271084 on file in the Office of the City Clerk.

Adopted 3/31/06.

W&M/Budget – Your Committee, having reviewed the 2005 Budget Report, now recommends passage of the accompanying Resolution amending the 2005 General Appropriation Resolution to reflect the recommendation of the Finance Officer to provide supplemental departmental appropriations to accommodate spending commitments.

Adopted 3/31/06.

Resolution 2006R-173, amending the 2005 General Appropriation Resolution to provide for supplemental departmental appropriations, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-173

By Ostrow

Amending The 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

Appendix A

2005 Year End Supplemental Appropriations

Fund	Agency	Agency	Appropriation	Revenue	Description
GENERAL FUND					
0100	400	Police Department	\$150,000		Department's Expenditures Exceeded the Appropriation
0100	607	Public Works	\$525,000	\$525,000	Reimbursable Bridge Work for Others
0100	607	Public Works	\$250,000	\$250,000	Reimbursable Street Work for Others

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0100	650	Public Works	\$100,000	\$100,000	Transportation Action Plan- offse by additional revenue
		Total General Fund	\$1,025,000	\$875,000	
GRANTS - FEDERAL SPECIAL REVENUE FUND					
0300	400	Police Department	\$3,000	\$3,000	Technical correction - grant was recorded in the wrong fund.
		Total Grants - Federal	\$3,000	\$3,000	
GRANTS - OTHER SPECIAL REVENUE FUND					
	400	Police Department	\$(3,000)	\$(3,000)	Technical correction - grant was recorded in the wrong fund.
		Total Grants - Other	\$(3,000)	\$(3,000)	
PERMANENT IMPROVEMENT FUND					
4100	943	Public Works	\$150,000	\$150,000	Reimbursable work provided for CPED and Others
EQUIPMENT FUND					
6100	927	Public Works - Equipment	\$39,152	\$39,152	Transferred to equipment division for purchase of a van by regulatory services
		Total Equipment	\$39,152	\$39,152	
PROPERTY SERVICES FUND					
6200	680		\$1,300,000	\$1,300,000	Technical Adj. for Approp. Shortfall
		Total Property Services	\$1,300,000	\$1,300,000	

INFORMATION TECHNOLOGY					
6400	880	Business Information Services	\$74,740	\$74,740	Increase in Unisys Managed Services contract per Ways & Means
6400	880	Business Information Services	\$276,678		Based on revenue generated from PMD's fee for service model
6400	972	SISSP Projects	\$1,748,952		Increase based on revenue from departments due to Res2004R-303
6400	972	SISSP Projects	\$250,000	\$250,000	Increased to encapsulate the entire 311 project in one project; used as a funding source
6400	972	SISSP Projects	\$1,092,508	\$1,092,508	Based on schedule attached to Resolution 2004R-303
		Total Information Technology	\$3,442,878	\$1,417,248	
6900	129	Health and Welfare	\$1,500,000	\$1,500,000	Appropriation increase for health costs
6900	129	Health and Welfare	\$3,200,000	\$3,200,000	Year-end appropriation increase for BCBS health costs
6900	150	Liability	\$1,500,000	\$1,500,000	Additional funds needed for legal settlements expected to be absorbed by the fund
		Total Self Insurance	\$6,200,000	\$6,200,000	
		Total All Funds	\$12,157,030	\$9,981,400	
		Expense Net Revenue	\$2,175,630		

Adopted 3/31/06.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to hire Pamela Fernandez for the position of Contract Administrator (Step 3).

Adopted 3/31/06.

W&M/Budget - Your Committee, having under consideration the River City Trolley Project, now recommends that the Public Works-Equipment Services Division be authorized to solicit bids for grant eligible replacement items; purchase such items, and requisition for installment.

Your Committee further recommends passage of the accompanying Resolution amending the 2006-2010 Five Year Capital Program increasing the appropriation of the Public Works Transportation Capital Program in the amount of \$238,009.

Adopted 3/31/06.

RESOLUTION 2006R-174

By Ostrow

Amending The 2006 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the amount of the Public Works Transportation Capital Program (0300-943-9480, Project #A8003) by \$238,009, consisting of Federal Transit Administration funds of \$178,506 and local matched funds in the amount of \$59,503 provided through the Greater Minneapolis Convention and Visitors Association.

Adopted 3/31/06.

W&M/Budget - Your Committee, having under consideration a recommendation by the Department of Human Resources reclassifying the position entitled Director, Information Technology Services to Director, BIS Business Development/Deputy Chief Information Officer, now recommends the following:

a) That the proposed position meets the criteria in Section 20.1010 of the Minneapolis Code of Ordinances, and that the position may be established in accordance with the findings (as set forth in Petn No. 271086);

b) Approval of the reclassification of one of the four budgeted Director, Information Technology Services positions to the proposed position, allocated to grade 15 with 698 points;

c) Approval of the remaining three positions titled Director, Information Technology Services be changed to Director, Business Information Services, with no change in points or salary, to reflect the name change of the department;

d) Passage of the accompanying Salary Ordinance establishing the annual salary for the Director, BIS Business Development/Deputy Chief Information Officer position in exception to the adopted appointed employee's compensation plan, effective January 1, 2006; and

e) Approval of the exceptional compensation required to attract and retain leadership talent in positions requiring a market exception be identified, and that it be clarified that this additional compensation is related to the market and not the internal equity value for the position, and therefore may be subject to change should factors affecting the market change; authorizing Human Resources, at its discretion to conduct periodic reviews of the market to ensure that the City remains competitive but does not systematically over-compensate for this talent. Any future salary changes would continue to require council approval.

Adopted 3/31/06.

Ordinance 2006-Or-027 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, establishing the salary for the reclassified appointed position of Director, BIS Business Development/Deputy Chief Information Officer, was adopted 3/31/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2006-Or-027
By Ostrow
1st & 2nd Readings: 3/31/06

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)
Effective: January 1, 2006

Director, BIS Business Development/Deputy Chief Information Officer

FLSA	OTC	CLASSIFICATION	PTSG	P	Step A Start rate	Step B After 1 “A” year	Step C After2 “B”	Step D After 3 “C”	
E	1	Appointed Pay Plan							
		Recommended Pay	698	15	A	\$97,150	\$102,263	\$105,331	\$107,376
		2006 Market							
		Exception	698	15	A	\$11,658	\$12,272	\$12,640	\$12,886
		2006 Recommended							
		Pay	698	15	A	\$108,808	\$114,535	\$117,971	\$120,262

Adopted 3/31/06.

W&M/Budget - Your Committee, having under consideration a recommendation by the Department of Human Resources to add a new appointed position entitled Deputy Director, License and Consumer Services, now recommends the following:

a) That the proposed position meets the criteria in Section 20.1010 of the Minneapolis Code of Ordinances, and that the position may be established in accordance with the findings (as set forth in Petn No. 271086);

b) Approval of the proposed appointed position, allocated to grade 13 with 590 points; and

c) Passage of the accompanying Salary Ordinance establishing the annual salary for said position in accordance with the adopted appointed employee's compensation plan, effective April 1, 2006.

Adopted 3/31/06.

Ordinance 2006-Or-028 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, establishing the salary for the newly appointed position of Deputy Director, License and Consumer Services, was adopted 3/31/06 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2006-Or-028
By Ostrow
1st & 2nd Readings: 3/31/06

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)
Effective: January 1, 2006

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B"	Step D After 3 "C"
E	1	Deputy Director Licenses and Consumer Services	698	15	A	\$81,835	\$86,143	\$88,727	\$90,450

Adopted 3/31/06.

W&M/Budget - Your Committee, having under consideration a recommendation by the Department of Human Resources to establish Citywide Unclassified Positions pursuant to Section 20.1010 of the Minneapolis Code of Ordinances, now recommends the following:

a) Adopting and incorporating the process of analysis used by the Department of Human Resources that was used to determine whether positions meet the five criteria as required by 2003 Minnesota Laws, Chapter 115 and Section 20.1010 of the Minneapolis Code of Ordinances;

b) Find that the positions listed on the spreadsheet in Petn No 271086, entitled "Unclassified Appointed Positions" adopted under Section 20.1010 of the Minneapolis Code of Ordinances that indicate yes listed in the "Adopt under M.C.O. 20.1010" column meet the following five criteria:

- 1) The person occupying the position must report to the head of the designated city department or the designated city department head's deputy.
- 2) The person occupying the position must be part of the designated department head's management team.
- 3) The duties of the position must involve significant discretion and substantial involvement in the development, interpretation, or implementation of city or department policy.
- 4) The duties of the position must not primarily require technical expertise where continuity in the position would be significant.
- 5) There is a need for the person occupying the position to be accountable to, loyal to, and compatible with the mayor, the city council, and the department head.

c) Find that the positions listed on the spreadsheet in Petn No 271086, entitled "Unclassified Appointed Positions" adopted under Section 20.1010 of the Minneapolis Code of Ordinances that indicate yes listed in the "Adopt under M.C.O. 20.1010" column are created in the unclassified service pursuant to Section 20.1010 of the Minneapolis Code of Ordinances; and

d) Find that the number of positions to be created for any job title be for the number of positions listed in Petn No 271086, entitled "Unclassified Appointed Positions Adopted under Section 20.1010 of the Minneapolis Code of Ordinances" in the column entitled "# of positions".

Adopted 3/31/06.

W&M/Budget - Your Committee recommends approval to increase the annual salary for Tim Giles, Director, Employee Services to 120 percent of the salary of the Human Resources Director, bringing his annual salary to \$135,249, in order to retain his employment with the City of Minneapolis.

Adopted 3/31/06.

W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving the terms of a 2-year labor agreement with the Teamsters Local #320, 911 Supervisors Unit, effective July 1, 2005 through June 30, 2007.

Adopted 3/31/06.

Resolution 2006R-175, approving the terms of a 2-year labor agreement with the Teamsters Local #320, 911 Supervisors Unit, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-175

By Ostrow

Approving the terms of a collective bargaining agreement with the Teamsters Local #320, 911 Supervisors Unit and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the Teamsters Local #320, 911 Supervisors Unit (Petn No 271086), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 3/31/06.

W&M/Budget - Your Committee recommends that the Department of Operations and Regulatory Services be authorized to hire Mr. Steve Hanson to the position of Assistant Building Official, Construction Inspection Services, in the Inspections Division (Step 5).

Adopted 3/31/06.

W&M/Budget - Your Committee, having under consideration a recommendation by the Department of Finance, now recommends the following:

- a) Passage of the Resolution amending the 2006 General Appropriation Resolution increasing the budgets in the funds for technology expenditures;
- b) Authorizing the proper City officers to execute any 2006 appropriation changes necessary to carry out the intent of this action; and
- c) Authorizing the proper City officers to revise existing financial policies to outline criteria for prepayment of technology projects.

Adopted 3/31/06.

Resolution 2006R-176, amending the 2006 General Appropriation increasing the budgets in the funds for technology expenditures, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-176

By Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriations as follows:

Fund 6400

2005 Project pre-payments to Deferred Revenue

					as of 02/02/06
Project Description	Customer Dept	Revenue rec'd in Proj Coding	Exp in 2005	Def 2005	Rev set up
Cognos for Reg Svcs	Reg Svcs	6400-880-8870-880F5640	77,295.00	109.45	77,185.55
Health & Food Safety Inspection System	Reg Svcs	6400-880-8870-880F5509	266,332.50	6,266.12	260,066.38
False Alarm	Reg Svcs	6400-880-8870-880F5065	64,927.16	700.66	64,226.50
COA/Tish	Reg Svcs	6400-880-8870-880F5158	176,902.00	2,193.48	174,708.52
City Attorney Remote Location	City Attorney	6400-880-8870-880G1143	6,813.94	232.17	6,581.77
Assessor Online Service Enhancements	Assessor	6400-880-8870-880F5667	20,000.00		20,000.00
ECM/Trimco EDM Replacement-Reg Svcs	Reg Svcs	6400-880-8870-880F6005	100,000.00		100,000.00
FISCOL Upgrade	Finance	6400-880-8870-880F5171	1,500,000.00		1,500,000.00
AMI Digitizing	Reg Svcs	6400-880-8870-880F5476	316,569.00	442.60	316,126.40
1st Precinct Kiosk Foreign Language PC	Communications	6400-880-8870-880F5635	6,080.00	163.00	5,917.00
HRIS Upgrade	HR	6400-880-8870-880F5041	250,000.00		250,000.00
Property Info Report Enhancements	Reg Svcs	6400-880-8870-880F5334	50,000.00		50,000.00
Lexis Nexis Push	City Attorney	6400-880-8870-880F6075	3,240.00		3,240.00
Ward 7 Mapping	City Council	6400-880-8870-880G1149	591.00		591.00
			2,838,750.60	10,107.48	2,828,643.12

Adopted 3/31/06.

W&M/Budget - Your Committee, having reviewed the 2005 Budget Report, now recommends passage of the Resolution amending the 2006 General Appropriation Resolution to increase the budgets in the funds and agencies recommended by the Finance Officer in order to provide for reappropriation of 2005 remaining budget to 2006.

Your Committee further recommends that the Finance Officer be authorized to execute any 2006 appropriation changes necessary to carry out the intent of said reappropriations.

Ostrow moved to amend the Resolution by reallocating \$100,000 of the funds in the Self-Insurance Fund recommendation (Fund 690/Agency 127) to the City Coordinator (Fund 100/Agency 840) for contract expenses related to securing non-City funds for the ongoing operations of the Minnesota Planetarium. Seconded.

Adopted upon a voice vote.

The report, with amended Resolution, was adopted 3/31/06.

Resolution 2006R-177, approving the reappropriation of 2005 remaining budget to 2006, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-177
By Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended to reflect the following reappropriation of 2005 funds:

Requests for reappropriation of 2005 funds to 2006

- CRITERIA: 1. a valid encumbrance;
2. one-time expenditure (not recurring budget item);
3. purpose is consistent with the department's business plan;
4. 2005 appropriation balance available for the encumbered item; and
5. financial position of the fund (status of the fund relative to work out plans; whether the fund's spending in 2005 had expense in excess of revenue).

<u>Fund</u>	<u>Agency</u>	<u>Agency Name</u>	<u>Appropriation Request</u>	<u>Finance Recommendation</u>	<u>Ways & Means Recommendation</u>	<u>Final Council Action</u>	<u>Comments</u>
<u>Description (Describe what rollover is for)</u>							
0100	840	City Coordinator	88,000	88,000	88,000	88,000	One-time Strategic Planning, office space redesign, office equipment and various one-time business consulting services
100	840	City Coordinator	50,000	50,000	50,000	150,000	One-time expense Feasibility assesment of financial development of ongoing operating revenue for the Minnesota Planetarium.

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100	842	Communications	23,278	23,278	23,278	23,278	One-time Audio-visual equipment ordered and invoiced in 2005, but not delivered-therefore did not qualify to be paid for out of 2005 budget
100	260	City Clerk	12,000	12,000	12,000	12,000	One-time Begin categorization of Municipal Library records with retired librarians.
100	650	PW Admin	39,550	0	0	0	Contractual obligation (one-time) Local 363 Rewards Program
100	607	PW Field Servs	600,000	0	600,000	600,000	Should be fixed in 2007 budget F/S Direct Equipment Rental-correction
100	400	Police Dept	460,000	0	0	0	No funds available. Gunfire Detection Technology e.g., "Shotspotter" (Special Projects)
100	400	Police Dept	500,000	0	0	0	No funds available. Digital In-squad Cameras (Spec Projects)
0100	280	Fire Dept	186,089	186,089	186,089	186,089	Fire will fund \$80K of \$266,089 request out of existing resources. Costs associated with establishing the Fire Cadet list, including the examination.
0100	280	Fire Dept	35,895	35,895	35,895	35,895	Encumbered Turn Out Clothing ordered in 2005 but delivered in 2006.
0100	280	Fire Dept	100,000	100,000	100,000	100,000	Project deficiency, one- time exp. Fire Station 17 - Capital Project to be completed in 2006- -project over run of \$100K.
0100	280	Fire Dept	25,000	25,000	25,000	25,000	One-time expense. Workforce Director Software Project for payroll system (MFD portion)
0100	280	Fire Dept	3,000	3,000	3,000	3,000	Services in 2005, billed in 2006. J. Taborn Assoc. Contract for psychological evaluations of Fire Cadet applicants.
0100	280	Fire Dept	26,000	26,000	26,000	26,000	Services in 2005, billed in 2006. Martin-McAllister Contract for pre-employment evaluations of Fire Cadet applicants.
0100	280	Fire Dept	25,000	25,000	25,000	25,000	Services in 2005, billed in 2006. HCMC contract for EMS training for Fire Cadets.
0100	280	Fire Dept	1,631	1,631	1,631	1,631	Services in 2005, billed in 2006. MCTC Contract for Fire Cadet test tutoring for written EMT exams.
0100	300	Civil Rights	21,340	21,340	21,340	21,340	One-time expense. Redesign of room 241 to improve storage and technology needs, including a wall mounting of TV/VCR and a drop down screen for presentations.

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100	300	Civil Rights	16,000	16,000	16,000	16,000	One-time expense. Redesign of room 237 to accommodate an extra workspace for the City's sign language interpreter.
<i>Subtotal, General Fund Department Requests</i>			2,212,783	613,233	1,213,233	1,313,233	
760	MCC	Convention Center	1,811	1,811	1,811	1,811	Encumbered. Flooring. Work in progress
760	MCC	Convention Center	362	362	362	362	Encumbered. Shelving. Work in progress
761	MCC	Convention Center	1,427	1,427	1,427	1,427	Encumbered. Compressor repairs. Work completed
760	MCC	Convention Center	3,543	3,543	3,543	3,543	Encumbered. Replacement of monitors. Job in progress
760	MCC	Convention Center	786	786	786	786	Encumbered. Annual maintenance of floor boxes. Job in progress
760	MCC	Convention Center	2,562	2,562	2,562	2,562	Encumbered. Annual maintenance of floor boxes. Job in progress
760	MCC	Convention Center	6,156	6,156	6,156	6,156	Encumbered. Upgrade PBX and voicemail software and 10-year old equipment. Job in progress
760	MCC	Convention Center	2,283	2,283	2,283	2,283	Encumbered. Electronic lock sets and card readers
760	MCC	Convention Center	255,568	255,568	255,568	255,568	Encumbered. Visitor Information Center. Job in progress.
760	MCC	Convention Center	300,000	300,000	300,000	300,000	Meeting Room Lighting Control System Upgrade. Unable to complete in 2005. Out for bids
760	MCC	Convention Center	209,800	209,800	209,800	209,800	Encumbered. 2004 Projects completed and expensed in 2005. (Exhibitor Services Office & Guest Services Office buildouts)
<i>Subtotal, Convention Center Requests</i>			784,298	784,298	784,298	784,298	

4100	600	Engineering Services	151,470.00	151,470.00	151,470.00	151,470.00	CDM - Contract # C-2141202 Develop Water Resource Management Strategic Plan Framework
<i>Subtotal, Water Fund Requests</i>			<i>151,470.00</i>	<i>151,470.00</i>	<i>151,470.00</i>	<i>151,470.00</i>	
7300	600	Engineering Services	35,021.69	35,021.69	35,021.69	35,021.69	HDR Engineering Inc Contract # C-20769 Tech guidance & training for XP-SWMM sanitary sewer Jane
7300	600	Engineering Services	34,034.68	34,034.68	34,034.68	34,034.68	Bonestroo, Rosene, Anderlik - Contract # C-21058 Technical Services- NPDES Permit Renewal negotiations
7300	600	Engineering Services	14,072.18	14,072.18	14,072.18	14,072.18	Barr Engineering Co - Contract # 2138103 Assist with stormwater management amendments
<i>Subtotal, Sewer Fund Requests</i>			<i>83,128.55</i>	<i>83,128.55</i>	<i>83,128.55</i>	<i>83,128.55</i>	
<i>Total, All Department Requests</i>			<i>3,231,679</i>	<i>1,632,129</i>	<i>2,232,129</i>	<i>2,332,129</i>	
Enterprise Projects							
100	650	PW Admin	191,500	191,500	191,500	191,500	Transportation Action Plan
100	400	Police Dept	56,000	0	0	0	HOLD per Court decision. 2 Permit FTEs for Stop on Red assistance (one time hires)
5250	127	Edison Ice Arena	187,000	187,000	187,000	187,000	Lease payments for debt service per recommendation of bond counsel
690	127	Self-insurance Fund	4,600,000	4,200,000	3,290,000	3,082,000	Buy down variable rate debt in self-insurance fund .
100	600	PW Solid Waste	350,000	0	310,000	310,000	Graffiti removal: Sensitive Surfaces and places over eight feet

Total, General Fund Requests	7,247,283	5,191,733	5,191,733	5,083,733
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<i>Amount Available for GF Reappropriation</i>	<i>5,231,050</i>	<i>5,231,050</i>	<i>5,231,050</i>
<i>Difference</i>	<i>39,317</i>	<i>39,317</i>	<i>147,317</i>

Adopted 3/31/2006

W&M/Budget - Your Committee, having under consideration a recommendation from the Finance Officer to reappropriate the 2005 remaining City Council and Mayor budget funds to the 2006 budget, now recommends that the following resolution approving the reappropriations be **sent forward without recommendation**.

Vice President Lilligren assumed the Chair.

Johnson moved to substitute the following report for the above report. Seconded.

Goodman moved to call the question. Seconded.

Adopted upon a voice vote.

Johnson's motion was Adopted. Yeas, 10; Nays, 3 as follows:

Yeas - Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Samuels, Hofstede, Johnson.

Nays - Ostrow, Hodges, Gordon.

W&M/Budget - Your Committee, having under consideration a recommendation from the Finance Officer to reappropriate the 2005 remaining City Council and Mayor budget funds to the 2006 budget, now recommends the following:

a. Reallocate \$108,000 of the funds in the Self-Insurance Fund recommendation (Fund 690/Agency 127) to City Council and Mayor (Fund 100/Agency 240 and Fund 100/Agency 375);

b. Appropriate \$83,000 of the \$108,000 in equal amount to Council ward budgets.

c. Council Members may elect to decline the additional appropriation no later than May 1, 2006 by notifying the City Finance Officer. Amounts not appropriated will return to the General Fund.

d. Passage of the accompanying resolution amending the 2006 General Appropriation Resolution.

The substitute report was Adopted 3/31/06. Yeas, 10; Nays, 2 as follows:

Yeas - Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Samuels, Hofstede, Johnson.

Nays - Ostrow, Hodges.

Declining to vote - Gordon.

RESOLUTION 2006R-178

By Ostrow

Amending The 2006 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended to reflect the following reappropriation of 2005 funds:

Requests for reappropriation of 2005 funds to 2006

CRITERIA:

1. a valid encumbrance;
2. one-time expenditure (not recurring budget item);
3. purpose is consistent with the department's business plan;
4. 2005 appropriation balance available for the encumbered item; and
5. financial position of the fund (status of the fund relative to work out plans; whether the fund's spending in 2005 had expense in excess of revenue).

<u>Fund</u>	<u>Agency</u>	<u>Agency Name</u>	<u>Appropriation Request</u>	<u>Finance Recommendation</u>	<u>Ways & Means Recommendation</u>	<u>Comments</u>
						<u>Description (Describe what rollover is for)</u>
100	240	City Council	83,000	0	0	Violates current policy
100	375	Mayor	25,000	0	0	Violates current policy
						Temporary position

Adopted 3/31/06. Yeas, 10; Nays, 2 as follows:

Yeas - Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Samuels, Hofstede, Johnson.

Nays - Ostrow, Hodges.

Declining to vote - Gordon.

President Johnson resumed the Chair.

W&M/Budget - Your Committee, having under consideration a recommendation by the Minneapolis Public Library Board of Trustees, now recommends the passage of the Resolution amending the 2006 Capital Improvement Appropriation by adding the appropriation for the funding from the Friends of the Minneapolis Public Library in the amount of \$13,635,000 for the New Central Library Project.

Adopted 3/31/06.

Resolution 2006R-179, amending the 2006 Capital Improvement Appropriation Resolution by adding the appropriation for the funding from the Friends of the Minneapolis Public Library in the amount of \$13,635,000 for the New Central Library Project, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-179

By Ostrow

Amending The 2006 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Library Board - Capital Referendum Agency in the Permanent Improvement Library Fund (4400-908-9081) by \$13,635,000.

Adopted 3/31/06.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by James Gray from the decision of the Board of Adjustment which denied applications for variances to: a) reduce the minimum required width of a two-way drive aisle from 22 feet to 18 feet 4 inches; b) reduce the required north interior side yard from 7 feet to 1 foot 6 inches to allow for surface parking; and c) allow a parking area in the south corner side yard of an existing multiple family dwelling for a proposed seven-stall surface parking lot accessory to a multiple family residence at 2325 Grand Ave S, now recommends that said appeal be denied and the decision of the Board of Adjustment be upheld, and that the findings of fact prepared by the Department of Community Planning & Economic Development staff be adopted.

Adopted 3/31/06.

Z&P - Your Committee, having under consideration the environmental review process for the proposed Bennett Lumber Parcels 1 and 2 redevelopment project for two parcels to be redeveloped as approximately 178 units of condominiums in four new four-story buildings and one rehabilitated historic

building located at 2828 Emerson Ave S, now recommends that development of an Environmental Impact Statement not be ordered, therefore making a negative declaration, and that the Findings of Fact and Record of Decision document be adopted.

Adopted 3/31/06.

MOTIONS

Schiff introduced the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code*, which were given their first reading and referred to the Zoning & Planning Committee (to comprehensively examine and revise provisions related to off-street parking, including minimum and maximum off-street parking standards), as follows:

- Amending Chapter 520 related to *Zoning Code: Introductory Provisions*;
- Amending Chapter 525 related to *Zoning Code: Administration and Enforcement*;
- Amending Chapter 527 related to *Zoning Code: Planned Unit Development*;
- Amending Chapter 531 related to *Zoning Code: Nonconforming Uses and Structures*;
- Amending Chapter 536 related to *Zoning Code: Specific Development Standards*;
- Amending Chapter 541 related to *Zoning Code: Off-Street Parking and Loading*;
- Amending Chapter 551 related to *Zoning Code: Overlay Districts*.

Schiff introduced the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code*, which were given their first reading and referred to the Zoning & Planning Committee (to comprehensively examine the zoning code provisions as they relate to farmer's markets. The amendments may include revisions to definitions, specific development standards and off-street parking requirements), as follows:

- Amending Chapter 520 related to *Zoning Code: Introductory Provisions*;
- Amending Chapter 530 related to *Zoning Code: Site Plan Review*;
- Amending Chapter 535 related to *Zoning Code: Regulations of General Applicability*;
- Amending Chapter 536 related to *Zoning Code: Specific Development Standards*;
- Amending Chapter 541 related to *Zoning Code: Off-Street Parking & Loading*;
- Amending Chapter 543 related to *Zoning Code: On-Premise Signs*;
- Amending Chapter 546 related to *Zoning Code: Residence Districts*;
- Amending Chapter 547 related to *Zoning Code: Office Residence Districts*;
- Amending Chapter 548 related to *Zoning Code: Commercial Districts*;
- Amending Chapter 549 related to *Zoning Code: Downtown Districts*;
- Amending Chapter 550 related to *Zoning Code: Industrial Districts*;
- Amending Chapter 551 related to *Zoning Code: Overlay Districts*.

Schiff introduced the subject matter of an ordinance amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to *Zoning Code: Commercial Districts*, which was given its first reading and referred to the Zoning & Planning Committee (to revise the minimum lot area requirement for residential uses in the C1 District).

Ostrow introduced the subject matter of an ordinance amending Title 11, Chapter 226 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Graffiti Nuisance Property*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (increasing that portion of the property that the City would be able to summarily abate without notice).

Colvin Roy introduced the subject matter of an ordinance amending Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Block Events*, which was given its first reading and referred to the Transportation and Public Works Committee for a public hearing to be held on April 18, 2006 (modifying application filing process, permit approval process, and reducing or eliminating fees for National Night Out events).

Samuels introduced the subject matter of an ordinance amending Title 15, Chapter 389 of the Minneapolis Code of Ordinances relating to *Offenses—Miscellaneous: Noise*, which was given its first reading and referred to the Public Safety and Regulatory Services Committee (regarding amplified sound and after hours work permits; and moving permit fees to Appendix J and Chapter 91 and increasing certain permit fees).

Samuels introduced the subject matter of ordinances amending Title 3 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection*, which were given their first reading and referred to the Public Safety & Regulatory Services Committee (moving permit fees to Appendix J and Chapter 91, and increasing certain permit fees), as follows:

- Amending Chapter 46 relating to *Minneapolis Solid and Hazardous Waste*;
- Amending Chapter 47 relating to *Minneapolis Air Quality Management Authority*;
- Amending Chapter 48 relating to *Minneapolis Watershed Management Authority*;
- Amending Chapter 50 relating to *Minneapolis Waste Control and Waste Discharge Rules*;
- Amending Chapter 52 relating to *Erosion and Sediment Control for Land Disturbance Activities*;
- Amending Chapter 54 relating to *Storm Water Management*.

Samuels introduced the subject matter of an ordinance amending Appendix J of the Minneapolis Code of Ordinances relating to *License Fees Schedule*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (moving certain permit fees to Appendix J and increasing certain permit fees).

Samuels introduced the subject matter of an ordinance amending Title 5, Chapter 91 of the Minneapolis Code of Ordinances relating to *Building Code: Permit Fees*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (moving certain permit fees to Chapter 91 and increasing certain permit fees).

Samuels introduced the subject matter of an ordinance amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating *Housing: Vacant Building or Dwelling, Nuisance Condition*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee for a public hearing to be held on Wednesday, May 3, 2006 (amending the fee for vacant building registration, creating a revolving fund for abatement of buildings in a nuisance condition, and amending the procedure for holding nuisance abatement hearings).

Benson introduced the subject matter of ordinances amending Title 3 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection*, which were given their first reading and referred to the Health, Energy & Environment Committee, as follows:

- Adding a new Chapter 57 relating to *Mercury*, prohibiting the sale and purchase of certain mercury containing devices and requiring certain signage for retailers of mercury-containing bulbs;

- Amending Chapter 47 relating to *Minneapolis Air Quality Management Authority*, adding a new Section 47.115 limiting annual increases of mercury air emissions from existing stationary sources; amending Section 47.50 to require registration of crematoria; and amending Section 47.110 to require the furnishing of additional information from air pollutant emitters to the Minneapolis Air Quality Management Authority;

- Amending Chapter 48 relating to *Minneapolis Watershed Management Authority*, amending Section 48.10 to specifically include mercury within the definition of pollutant.

Benson introduced the subject matter of an ordinance amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to *Fire and Police Protection: Minneapolis Fire Department, Fire Prevention Bureau*, which was given its first reading and referred to the Health, Energy & Environment Committee (adding a new Section 174.35 addressing notification of hazardous materials remaining on certain sites).

Benson introduced the subject matter of an ordinance amending Title 11, Chapter 217 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Deaths and Burials*, which was given its first reading and referred to the Health, Energy & Environment Committee (deleting Section 217.10 as obsolete which requires certain dead bodies to be wrapped in sheets saturated with bichloride of mercury).

Schiff introduced the subject matter of an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to *Zoning Code: Administration and Enforcement*, which was given its first reading and referred to the Zoning & Planning Committee (authorizing a variance related to the minimum width requirement for single and two-family dwellings and multiple-family dwellings of three and four units).

Schiff introduced the subject matter of an ordinance amending Title 20, Chapter 544 of the Minneapolis Code of Ordinances relating to *Zoning Code: Off-Premise Advertising Signs and Billboards*, which was given its first reading and referred to the Zoning & Planning Committee (creating new requirements for off-premise advertising billboards in an area bounded by 2nd Ave N to Hennepin Ave, and 8th to 6th Sts N.

RESOLUTIONS

Resolution 2006R-180, honoring The Aliveness Project's Dining Out for Life event, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-180

By Schiff, Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Remington, Benson, Colvin Roy and Hodges

Honoring The Aliveness Project's Dining Out for Life event.

Whereas, The Aliveness Project was founded by a group of people living with HIV/AIDS in 1985 and has served the local HIV/AIDS community for over 20 years; and

Whereas, over 1,700 people are members of The Aliveness Project representing the HIV/AIDS crisis in Minnesota, with 1 in 5 Minnesotans living with HIV/AIDS using their services each year; and

Whereas, The Aliveness Project prepares and serves over 27,000 meals each year and distributes over 36 tons of food shelf items. Each holiday season over 500 baskets are distributed to members representing over 1,100 people, including more than 400 children; and

Whereas, nearly 3,000 sessions of acupuncture, massage, shiatsu and other complementary therapeutic treatments are provided annually; and

Whereas, The Aliveness Project provides educational workshops, counseling and support groups, and every year over 700 people volunteer over 25,000 hours to help with the ongoing work at The Aliveness Project; and

Whereas, Dining Out for Life is the major fundraiser to support the extraordinary continuing work of The Aliveness Project, last year raising nearly \$71,000; in 2006 we have 94 metro restaurants participating and hope to raise at least \$90,000; and

Whereas, Thursday, April 27, is The Aliveness Project's 12th annual Dining Out for Life event and we wish to honor their hard work on behalf of the people of their community and the City of Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Thursday, April 27, 2006, be proclaimed as The Aliveness Project's Dining Out for Life Day In The City of Minneapolis.

Adopted 3/31/06.

Resolution 2006R-181, recognizing Judith Schwartau, recipient of the 2006 Medallion Award from the National Association of Secretaries of State, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-181

By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy, and Hodges

Recognizing Judith Schwartau, recipient of the 2006 Medallion Award from the National Association of Secretaries of State.

Whereas, the National Association of Secretaries of State has created the Medallion Award Program, which recognizes outstanding service and dedication to furthering the mission of the National Association of Secretaries of State; and

Whereas, the Medallion Program honors individuals, groups, or organizations with an established record of promoting the goals of NASS in the areas of elections, with special emphasis on voter education and participation; civic education, including the teaching, promotion, and study of this subject; and service to state government, as it relates to the duties of the office of Secretary of State; and

Whereas, each Secretary of State is granted the authority to select individuals within each state who reflect the mission, purposes, and objectives of the NASS and to grant the Medallion Award to those individuals; and

Whereas, on March 16, 2006 The Honorable Mary Kiffmeyer, Minnesota's Secretary of State, presented the 2006 Medallion Award to Judith Schwartau, Training and Communications Coordinator for the City of Minneapolis Elections Office in recognition of Judith's dedication, creativity and passion in the field of election judge training and for her wise counsel to the Secretary of State staff as they together seek to improve our State's election process;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we congratulate Judith Schwartau as this year's recipient of the NASS Medallion Award and thank Judith for her humor, warmth and generosity in serving the voters of our City.

Adopted 3/31/06.

Resolution 2006R-182, honoring Kathleen M. Lamb for her 12 years of service to Minneapolis as the City Council Representative on the Minneapolis Library Board, was adopted 3/31/06 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2006R-182

By Johnson, Ostrow, Gordon, Hofstede, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy, Hodges

Honoring Kathleen M. Lamb for her Twelve Years of Service to Minneapolis as The City Council Representative on the Minneapolis Library Board.

Whereas, Kathleen Lamb was first appointed to the Minneapolis Public Library Board of Trustees by the Minneapolis City Council beginning January 1, 1994; and

Whereas, Kathleen Lamb was reappointed to the Library Board on May 10, 1996, January 1, 1998, January 2, 2000, January 2, 2002, and January 3, 2004; and

Whereas, Kathleen Lamb served on the Central Library Implementation Committee from 2000 through 2005; and

Whereas, Kathleen Lamb served as the Library Board representative to the Hennepin Avenue Advisory Board from 2002 through 2005; and

Whereas, Kathleen Lamb served on the Sumner Community Library Art Jury, North Regional Library Advisory Team and City of Minneapolis Art in Public Places North Regional Community Library Art Panel; and

Whereas, throughout her tenure as a Trustee of the Minneapolis Public Library Board, Kathleen Lamb worked to achieve the highest level of service for Minneapolis library patrons while maintaining the highest level of responsibility for public dollars; and

Whereas, Kathleen Lamb was diligent in communicating with Council Members on all Library issues;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis thanks Kathleen Lamb for her years of dedication and service as the Minneapolis City Council appointee to the Minneapolis Public Library Board of Trustees.

Be It Further Resolved that the City Council wishes Kathleen Lamb much success in her future endeavors, and encourages her to remain involved in the civic life of the City of Minneapolis.

Adopted 3/31/06.

NEW BUSINESS

Ostrow gave notice of intent to introduce ordinance amendments, additions and deletions at an upcoming meeting of the City Council establishing a clear line of jurisdiction and accountability over the Minneapolis One Stop Program under the authority of the City Coordinator.

Glidden introduced ordinances amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer, which were given their first reading and referred to the Public Safety & Regulatory Services Committee (adding a definition of bowling center to Section 360.10 and amending Section 362.395 to exempt bowling centers from its requirement that 60 percent of total gross revenue come from sales of food & beverage), as follows:

Amending Chapter 360 relating to Liquor and Beer: In General;

Amending Chapter 362 relating to Liquor and Beer: Liquor Licenses.

Samuels introduced an ordinance amending Title 11, Chapter 227 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Nuisances Generally*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (adding a new Section 227.190 entitled *Clandestine Lab Sites*, amending the definition of public nuisance to include clandestine lab sites).

Lilligren moved to adjourn to Room 315 City Hall to consider the matters of a) Mumm vs. Mornson v. City of Minneapolis, et al; and b) Adrienne Mason v. City of Minneapolis, et al. Seconded.

Adopted 3/31/06

Cynthia D. Reichert,
Assistant City Clerk.

Room 315 City Hall

Minneapolis, Minnesota

March 31, 2006 - 11:56 a.m.

The Council met pursuant to adjournment.

President Johnson in the Chair.

Present – Council Members Ostrow, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, President Johnson.

Absent - Schiff.

Heffern stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the Mumm vs. Mornson v. City of Minneapolis, et al; and Adrienne Mason v. City of Minneapolis, et al. lawsuits.

At Noon, Ostrow moved that the meeting be closed. Seconded.
Adopted upon a voice vote.
Absent - Schiff.

Present - Council Members Ostrow, Schiff (In at 12:04 p.m.), Lilligren, Colvin Roy, Glidden, Remington, Benson (Out at 12:24 p.m.), Goodman, Hodges, Samuels, Gordon (Out at 12:31 p.m.), Hofstede, President Johnson.

Also present - Jay Heffern, City Attorney; Peter Ginder, Deputy City Attorney; Tim Skarda, Assistant City Attorney; Charles Brown, Assistant City Attorney; Deputy Chief Don Harris; Peter Wagenius, Mayor's Office; [Cynthia D. Reichert, Assistant City Clerk; and Jackie Hanson, City Clerk's Office.](#)

Assistant City Attorney Skarda summarized the Mumm vs Mornson v. City of Minneapolis, et al lawsuit from 12:01 p.m. to 12:30 p.m.

Assistant City Attorney Brown summarized the Adrienne Mason v. City of Minneapolis, et al. lawsuit from 12:30 p.m. to 12:44 p.m.

At 12:44 p.m., Lilligren moved that the meeting be opened. Seconded.
Adopted upon a voice vote.

Remington moved to settle the case of Mumm v. Mornson v. City of Minneapolis, et al., Hennepin County District Court file no. WD 02-01636, upon the following terms and conditions: by payment in the amount of \$300,000.00 to Beverly Mumm, as trustee for the surviving spouse and next of kin of Duane Mumm, and her attorneys Lindquist & Vennum, PLLP; by payment in the amount of \$50,000.00 to GERALYN Mornson and Robert Mornson, husband and wife, and their attorneys, the Schmidt Law Firm and Stich, Angell, Kreidler & Dodge P.A.; and to authorize the City Attorney to execute any documents necessary to effectuate the settlement and release of claims payable from Fund/Org. 6900 150 1500 4000. Seconded.

Adopted 3/31/06.
Absent – Benson, Gordon.

Remington moved to settle the case of Adrienne Mason v. City of Minneapolis, et al., Hennepin County District Court file no. PI 04-18776, upon the following terms and conditions: by payment in the amount of \$140,000.00 to Adrienne Mason and her attorneys Schwebel Goetz & Sieben, P.A., and to authorize the City Attorney to execute any documents necessary to effectuate the settlement and release of claims payable from Fund/Org. 6900 150 1500 6800. Seconded.

Adopted 3/31/06.
Absent – Benson, Gordon.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Lilligren moved to adjourn. Seconded.
Adopted upon a voice vote 3/31/06.

[Cynthia D. Reichert,](#)
[Assistant City Clerk.](#)

MARCH 31, 2006

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